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REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakah,

Special Presiding Officer

RERA/CC/52/2026

Janki Kumari----- Complainant

v.

M/s Ghar Lakshmi Buildcon Pvt. Ltd. -----Respondent

PROJECT: Sarita Kunj Smart City

For the Complainant: Mr. Dharmendra Kumar Choudhary,

For the Respondent: None.

14/08/2026**ORDER**

Hearing is taken up. Shri Dharmendra Kumar Choudhary, husband of the complainant, is present. There is no representation on behalf of the respondent -promoter.

2. The husband of the complainant submits that the complainant had booked a 3 BHK flat having super Built up area 1300 Sq.Ft. on the 1st Floor, bearing Flat No. 101, in Block-D, in the project namely “Sarita Kunj Smart City”, being developed by the respondent Ghar Lakshmi Buildcon Pvt. Ltd., for a total consideration of Rs. 35, 50,000/- (Rs. Thirty-Five Lakh Fifty Thousand only). Out of the said consideration amount, the complainant paid a sum of Rs. 4, 50,000/- (Rupees Four Lakh Fifty Thousand only) to the respondent through cheques dated 18.02.2020 & 31.08.2020 against which a payment receipts were duly issued by the respondent, which are annexed with the record.

3. It is further submitted that an unregistered Memorandum of Understanding (MOU) was executed between the parties on 24.02.2020. As per the terms and conditions contained therein, in the

event that the Developer/Vendor failed to hand over possession of the booked unit within the stipulated period and the Buyer/Vendee desired to seek refund of the amount paid, the Developer/Builder was liable to refund the entire amount paid by the Buyer/Vendee.

4. It is further submitted that, despite the passage of considerable time, there has been no substantial progress in the said project, nor has the respondent taken effective steps towards completing the project and handing over possession of the booked flat to the complainant. In view of the inordinate delay and lack of progress in the project, the complainant has been left with no efficacious option except to approach this Hon'ble Authority by filing the present complaint petition, seeking refund of the principal amount paid by her, along with interest thereon from the respective date(s) of payment till the date of actual realization, as well as litigation costs and such other relief(s) as this Hon'ble Authority may deem fit and proper in the facts and circumstances of the case.

5. On the other hand, neither there is representation on behalf of the respondent nor is there reply filed on behalf of the respondent.

6. After hearing the husband of the complainant and upon perusal of the pleadings, documents and other materials available on record, Bench/Authority observes that the complainant had paid a total sum of Rs. 4,50,000/- (Rupees Four Lakhs Fifty thousand only) to the respondent in three installments through cheques. The complainant has placed on record the corresponding money receipts duly mentioning the cheque numbers and dates of payment. The respondent failed to appear and controvert the submissions and documents of the complainant. In view of the aforesaid documentary evidence and considering the materials available on record, this Bench/Authority is of the considered view that the complainant is entitled to refund of the

principal amount of Rs. 4,50,000/- (Rs. Four Lakh Fifty Thousand only) along with accrued interest as the respondent has got benefits from such fund of the complainant.

7. Considering what has been discussed above, this Bench/Authority hereby directs the respondent-company, through its Director, Rahul Kumar, to refund the principal amount of Rs. 4,50,000/- (Rs. Four Lakh Fifty Thousand only) to the complainant, along with interest thereon. The said amount shall carry interest at the rate of 2% above the prevailing MCLR of the State Bank of India, applicable for a three-year, calculated from the respective dates of payment until the date of actual refund within 60 days of the order.

8. The complainant shall be at liberty to seek other relief(s), if any, which is in the nature of compensation, before the Adjudicating Officer, RERA, Bihar.

9. With the aforesaid observations/ directions, the present complaint petition stands disposed of.

Sd/-

(Ved Prakash)
Special Presiding Officer
RERA, Bihar