

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/443/2024

Jyoti Kumar Complainant

Vs.

M/s Ghar Laxmi Buildcon Pvt. Ltd.Respondent

PROJECT: INCOME TAX RESIDENCY,BLOCK -C

For the Complainant: In person

For the Respondent: None

23.07.2025

ORDER

The complainant is present but the respondent is absent. It appears from the record that the respondent never appeared either before the Conciliation Forum or the Bench.

2. The complainant submits that in the year, 2015 he booked one 3 BHK Flat through Income Tax Employee Federation in the proposed residential complex i.e. Income Tax Residency located at Lakhani Bigha, Danapur along with car parking and he was allotted Flat no.-C-1 in Block –C. He made payment of Rs.2,96,000/- on 14.05.2015, 28.07.2015 & 12.07.2017 to the respondent, against which payment receipts were issued by the respondent and the same have been placed on record. He further submits that when he came to know that Block – C in the residential apartment is not in existence, he requested for refund of his money vide letter dated 08.05.2024 but till date the respondent has not refunded his money. Hence, the present complaint by him for refund of money along with interest by the respondent.

3. It is evident from the record that the respondent neither ever appeared before the Conciliation Forum nor this Bench in spite of notices issued on 05.12.2024 & 29.04.2025.

4. Perused the record. The Bench observes that the respondent - promoter neither honoured the commitment made to the complainant of handing over of flat nor refunded the principal

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amount of the complainant even after cancellation of booking and request for refund of money vide letter dated 08.05.2024. The Bench further observes that the respondent – promoter does not want to say anything in this matter as he chose not to appear either before the Conciliation Forum nor this Bench in spite of notices issued. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Bench does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

5. Taking into consideration the submission of the complainant and on going through the material available on record, the Bench directs the respondent - company and its Director/s to refund the principal amount of Rs.2,96,000/- to the complainant along with interest at 2% above marginal cost of lending rate (MCLR) of the State Bank of India on principal amount since the date of its payment till the date of refund within sixty days of this order.

6. The complainant is at liberty to press other claims, if any, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.