

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR
 RERA/CC/ 304/2024
 RERA/AO/90/2024

Preeti Kumari

-----Complainant

Vs

Ghar Lakshmi Buildcon Pvt. Ltd.

-----Respondent

Project: Lakshmi Milestone.

07/05/2026

ORDER

The complainant has filed this case for compensation of Rs. One lakh as mental agony and harassment and litigation cost of Rs. 50,000/- (Rs. Fifty thousand only) and/or any other cost or compensation as the Bench deems fit and proper. On behalf of the complainant further a supplementary application has been filed for adding the compensation amount of Rs. 10,00,000/- (Rs. Ten Lakh only) for harassment caused to the complainant even since 2016 and also for direction to the respondent to pay Rs. Ten Lakhs as compensation and physical harassment caused to her.

2. The complainant case in brief is that the complainant has booked a flat in the project of the respondent for total consideration amount of Rs. Eleven Lakh for which Rs. 5,50,000/- (Rs. Five lakh and Fifty thousand only) have been paid. The complainant entered into agreement for sale on 18.01.2020 and it was to be handed over within or by 09.01.2021. To utter shock and surprise the complainant learnt that the respondents have hatched a deep rooted criminal conspiracy to deceive complainant and several other purchasers and have embezzled Rs. 5,51,000/- from complainant. The respondent in pretense to pay the amount, gave three cheques to complainant to prevent her to pursue the complaint case. All the cheques were dishonored. Having found no alternative remedy, the complainant filed RERA/CC/1191/2021 in which the Hon'ble Chairman directed the respondent to refund the amount of Rs. 5,51,000/- with interest for MCLR for three years plus one percent within 60 days of the order. The respondent despite direction has not paid even single penny to the complainant. The complainant had

moved into execution case in pursuance to the order of the complaint case which is still pending before the Authority. The complainant has suffered a lot both mentally, physically as well as economically as the respondents have not fulfilled their obligation as per the Agreement and even after the direction of Authority, not refunded the principal amount with interest.

3. The respondent did not appear on any date and as such the record proceeded ex-parte.

4. After hearing it appears that the RERA Authority by order dated 06.05.2022, directed the respondent to refund the amount of Rs. 5,51,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus one percent from the date of taking the booking within sixty days of issue of the order.

5. As per complainant itself, the matter is pending before the RERA Authority for execution of the said order, so there is no need to interfere in that matter. So far the compensation is concerned, for mental and physical, agony and litigation cost appears to be justified to the given to the complainant by the respondent.

6. Considering the facts and circumstances of the case, the respondent is directed to pay Rs. 2,00,000/- for compensation for mental agony and litigation cost of Rs. 50,000/-. The respondent is directed to pay the aforesaid amount within a period of two months of this order, failing which the complainant may proceed further as per law prescribed.

7. With the aforesaid observation and direction, this case is disposed of.

SD/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar

