

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh,
RERA, Bihar**

**RERA/CC/183/2022
RERA/AO/27(A)/2022**

Deovrat Mishra	VsComplainant
M/s Patligram Builders Pvt. Ltd.	Respondent

Project: Patligram Kingdom, Phase-1

Present: **For the Complainant: Mr. Rahul Srivastava, Advocate**
 For the Respondent: Mr. Ankit Kumar, Advocate

06.08.2025

ORDER

Hearing was last taken up on 29.07.2025 and the order was reserved when Mr. Rahul Srivastava, learned counsel was present on behalf of the complainant and Mr. Ankit Kumar, learned counsel was present on behalf of the respondent.

2. The complainant reiterates his submission that he had booked a residential unit R3 V2-08, House No.08 in the project "Patligram Kingdom, Phase-1" and had made a total payment of Rs.8,66,800/-. The residential unit was to be completed within three years and six months, but till date work has not been started on the site as yet. Despite his desperate effort to contact the respondent (promoter) to know about the progress of the work, the respondent never responded.

3. Learned counsel for the complainant requests for the payment of entire amount along with interest. He says that against the same respondent, another case, bearing Complaint Case No. RERA/CC/182/2022 /RERA/AO/26/2022, has been filed pertaining to the same project, which has already been finalized by the RERA Authority, vide its order dated 16.08.2023. He further submits that it is a similar case and hence the order in the similar terms should be delivered in this case as well.

4. Learned counsel for the respondent submits that since the respondent at present is behind bars, hence it is not possible for him to appear. However,

he commits to make the payment as soon as he comes out, preferably within a month. He further submits that only principal amount should be directed to be paid by the respondent on the ground that due to his financial conditions, he is unable to make the payment of interest over the said amount.

5. Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor he has yet started the construction of the project in question. This shows his deliberate negligence in fulfilling the commitment made to the complainant.

6. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent (promoter), the Authority does not think it proper to allow this case pending for a further period and accordingly the case is being disposed of in light of the averments made herein above and the materials available on record.

7. In view of the submissions made by the complainant and on cautious and serious examination of the facts of the case, the respondent is directed to refund the principal amount of Rs.8,66,800/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at 2% above the prevalent Marginal Cost of Lending Rates (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment.

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

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

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar