

**REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR**

RERA/CC/236/2024

RERA/AO/80/2024

Rajesh Ranjan Kumar ----- Complainant

v.

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

PROJECT – Ghar Lakshmi Milestone

21/05/2026

ORDER

Heard Shri Rajeev Kr. Sinha, learned counsel for the complainant. There is no representation on behalf of the respondent.

2. The complainant has filed this case for compensation of Rs. 3,00,000/- (Rs. Three Lakh).

3. The complainant's case in brief is that he had booked a Duplex 3 BHK Flat No. 302 at Block-D with 1320 sq. ft. at the 3rd floor by way of executing a MoU (an agreement for sale) dated 15.11.2019 in the project name 'Ghar Laxmi Milestone- A Mega township located at Shivala, Bihta, Patna on 04.05.2018 and an allotment letter was accordingly issued on 11.08.2018 and he paid the total sale consideration of Rs. 10,01,000/- on different dates from May, 2018 to August, 2018. Despite getting neither any response for delivery of the said flat nor any refund of his booking amount thereof with interest from the respondent till date even after requesting, reminding and follow up including several personal visits at their office, the complainant, getting no other option, had filed the instant complaint case online before the Adjudicating Officer, RERA on 10.01.2024 for getting direction for compensation for mental agony and harassment. The complainant has incurred financial loss.

4. The respondent never appeared in the case even after publication of notice in public newspaper. Having found no option, the record proceeded *ex-parte*.

5. The complainant has filed photocopy of allotment letter issued by the Ghar Laxmi Milestone Pvt. Ltd. dated 25.03.2021 by which consideration amount of Rs. 10,00,000/- (Rupees Ten Lakh only) excluding GST as per Govt. norms and registry cost was to be paid. It was also mentioned in the allotment letter that this

will be as per his requests and choice on first come and serve basis and 50% amount of total consideration was to be paid within 25 days from the date of allotment letter.

6. After perusal of the record it also appears that complainant has filed a photocopy of letter dated 11.12.2021 by which the complainant has demanded from the Managing Director of Ghar Laxmi Buildcon Pvt. Ltd. Rs. 2 lakh deposited by him and cancellation of allotment of shop. This letter itself appears to show that the complainant himself cancelled the allotment of flat and demanded the consideration amount of Rs. 2 lakhs, which was to be paid by him, whereas as per letter dated 25.03.2021 allotment letter was issued by the respondent and he has to pay 50% of total consideration amount within 25 days from the date of allotment letter but the complainant has not shown whether he complied it or not. Letter dated 25.03.2021 of the complaint itself shows that the complainant has no any interest in taking the concerned flat and he has cancelled the same. Moreover, the complainant has neither filed any such MoU nor any fact on which agreement was made. In such a situation it appears that the complainant has filed this case only on vague and suspicious fact. In such circumstances, the complainant cannot demand any compensation and as such this case is dismissed.

Sd/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar