

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/233/2024

Afzal Haque Quadri

.....Complainant

Vs

M/s Cosmos Engicon Pvt. Ltd.

.....Respondent

Project: N/A

**Present: For Complainant: Mr. Ishtiyaque Hussain, Advocate
For Respondent: Mr. Sharad Shekhar, Advocate**

04/09/2025

PROCEEDING

Hearing taken up. Mr. Ishtiyaque Hussain, learned counsel for the complainant is present. Mr. Sharad Shekhar, learned counsel for the respondent is also present.

Learned counsel for the complainant submits that he has already submitted an evidence of payment of Rs.2.50 lakh through Bank statement and it has been deposited in the Bank account of the respondent company.

Learned counsel for the respondent submits that the complainant is unable to prove as to what has been the reason for payment of Rs.2.50 lakh.

Learned counsel for the complainant submits that it was for purchase of land which has not been handed over to him, hence he is liable for refund of the same along with interest.

Learned counsel for the respondent denies his statement saying that there is no agreement whatsoever available on record to prove the veracity of the statement.

This Bench is of the view that since the money has already been drawn out from the account of the complainant and has been paid into the Bank account of the respondent by the complainant concerned, the onus lies on the respondent to prove that it is for another purpose than being stated by the complainant. The last and final opportunity is given to the respondent to prove as to what is the actual cause (in case it is different from what is being stated by the complainant). The respondent shall furnish the relevant documents and all pertinent evidences to prove the same, failing which it will be considered that the same has been accepted for the purpose of sale of the plot of land, which has not been done at the end of the respondent as yet and in such a case, this Bench will be constrained to pass necessary order based on the material available on record.

Put up this case on 14.10.2025 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar