REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Inquiry Commissioner, Shri Sanjaya Kumar Singh, RERA, Bihar.

RERA/CC/450/2025

Pawan Kishore .... Complainant

Versus

M/s Pallavi Raj Construction Pvt. Ltd. .... Respondent

Project: **BOLLYWOOD RESIDENCY, AB**

Present: For Complainant: In person

For Respondent: Mr. Shashi Kumar, Advocate

22.09.2026 **PROCEEDING**

1. Hearing taken up. Mr. Pawan Kishore, the complainant, appears in person. Learned counsel Mr. Shashi Kumar appears on behalf of the respondent.

2. The complainant, who is present in person, submits that he has paid an amount of Rs.5,00,000/- for booking Flat No.201, Block-A in the project named 'Bollywood Residency, AB' but the construction of the project was never initiated. On repeated persuasion, the respondent refunded only a partial amount of Rs.1,00,000/- to him and as regards the remaining amount, he was given three cheques bearing cheque nos. 000330 dated 30.05.2025, 000332 dated 30.03.2025 and 000333 dated 30.04.2025, respectively, bearing the name of the complainant to be withdrawn from the respondent's account no.061605500901 pertaining to ICICI Bank, Raja Bazar Branch, Patna. The cheques had the signature of the Managing Director of the respondent-company named Sanjeev Kumar. The complainant further submits that none of the three cheques could not be encashed and the bank gave a certificate in this regard that payment was stopped by the Drawer. When enquired – whether any action against the respondent was taken by the complainant, he submitted that no action as such has been taken by him against the respondent.

4. Learned counsel for the respondent submits that the matter which is being referred to by the complainant pertains to a period prior to filing of the present complaint case. When enquired as to why the cheques were not encashed, he submitted that he was not aware as to why the payment was stopped by the respondent.

5. Learned counsel for the respondent further submits that he is furnishing another cheque for Rs.1,00,000/- in favour of the complainant from the same bank account which he requests the complainant to receive.

6. The complainant after receiving the cheque in original, submitted that though he has submitted a receipt regarding the same, but a mere perusal of the signature on the cheque makes it clear that the present signature which has been put on the cheque differs from the earlier signature which was put on the three cheques issued earlier against which the payment was stopped, though the cheque pertains to the same account number and the same bank. The complainant submits before this Court that he is quite apprehensive that in the present situation also, the cheque given today though bears the date as 10th October, 2026 would ever be encashed or not.

7. The Bench, on perusal of the earlier cheques shown during the course of hearing, found the statement of the complainant to be correct and directs the complainant to furnish the details of the bounced cheques along with a copy of the certificate given by the bank before the Bench. The Bench further observes that the signatures given on the earlier cheques differ with the signature given on the present cheque. The Bench, therefore, directs the complainant that in case the present cheque is not encashed, he is at liberty to file a criminal complaint case before the competent authority under the provisions of the Negotiable Instruments Act.

8. The Bench further observes that despite being in the knowledge of the fact that the impugned project will not be constructed, the respondent has never voluntarily offered for refund of the amount which shows malafide intention of the respondent in this regard. The Bench, therefore, directs the respondent to make payment of the entire principal amount to the complainant by the next date of hearing and also ensure that the present cheque which has been handed over to the complainant is encashed. In case the respondent has any doubt regarding encashment of the same, the respondent should transfer the money online before the encashment date into the bank account of the complainant.

9. The complainant is directed to hand over photo copies of all the un-encashed (bounced) cheques along with the certificate of the bank in this regard on the next date of hearing.

Put up for hearing on 22.10.2026. Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar