

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Exe. Case No.215/2021

RERA/CC/45/2021

Satyendra Kumar Gupta

.....Complainant

Vs

M/s Ghar Lakshmi Buildcon Pvt. Ltd.

.....Respondent

Project: Income Tax Residency

Present: For Complainant: In person

For Respondent: None

16/09/2025

INTERIM ORDER

The matter was last heard on 22.08.2025 when the complainant had appeared in person but none had appeared on behalf of the respondent.

The executant has filed the present execution case for compliance of the order dated 18.10.2021 passed by Sri R.B.Sinha, Ex-Member, RERA, Bihar in RERA/CC/45/2021, in which the Authority directed the respondent company to execute a registered agreement for sale for the flat in the project Income Tax Residency with the allottee within 30 days of the issue of this order, failing which the Authority may initiate proceedings u/s 61 of the Act for contravention of Section 13 of the Act under which the promoter may be liable to a penalty which may extend up to five percent of the estimated cost of the project.

Perused the order passed in the said complaint case . The order in itself is quite explicit directing the respondent company to execute a registered agreement for sale for the flat in the project Income Tax Residency with the allottee within 30 days. The complainant has filed this execution case for non-compliance of the order passed in the said complaint case. During hearing of the execution case the complainant registered his presence but the respondent, for the reasons and intentions best known to him, preferred to remain absent from the proceeding.

During the hearing, the complainant submitted that after passing of the above order by the Authority in the above said complaint case, the respondent in utter violation of the same has sold the above said flat and registered an absolute sale deed in favour of another person. The complainant furnished a web copy of the deed details issued by the Department of Registration, Excise and Prohibition, Govt. of Bihar, which pertains to the sale of the said flat No.808. This makes it clear that the said flat has been sold by the respondent and thus in itself a proof of utter violation and disregard of the order passed by the Authority in the present

case. The complainant further requests that in the present circumstances, he cannot get the possession of the said flat in his favour as it can now be done only through a long process of legal intervention by means of Civil Court, hence he prefers to get a refund from the builder (respondent) of the entire paid amount by him to the said respondent along with interest as per the provisions of law.

Issue notice to the respondent to be present positively on the next date of hearing, failing which this court will have no alternative but to pass an order regarding refund of the entire amount along with interest to the executant along with imposition of penalty for the misdeeds committed by the respondent concerned.

The complainant/ executant is also requested to file an affidavit to this effect that he is willing to accept the refund of the entire amount along with interest out of his own will. The complainant is requested to furnish a copy of such affidavit before the next date of hearing.

Put up this case on 26.09.2025 for further hearing.

Sd/-
(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar