

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**RERA/CC/298/2023**

**Julie Osta**

**.....Complainant**

**Vs**

**M/s Iyom India Constructon Pvt. Ltd.**

**.....Respondent**

**Project: Uma Residency**

**Present: For Complainant: Mr. Kishore Kunal, Advocate**

**For Respondent: Mr. Hemant Kumar, Advocate**

**23/05/2025**

**INTERIM ORDER**

Hearing taken up. Mr. Kishore Kunal, learned counsel for the complainant is present. None appears on behalf of the respondent.

Learned counsel for the complainant submits that he has already submitted a detailed written Notes of Argument and he stands by the facts stated therein.

Though the respondent is absent but a detailed Notes of Argument has been submitted by him on 05.05.2025. Perused the records.

From perusal of the records, it appears that the complainant has booked Flat No.103 in the said project on 11.07.2021 for a total consideration of Rs.22.00 lakh and she has paid the total consideration of Rs.22.00 lakh on different dates which is accepted by the respondent but no Agreement for Sale was executed between the complainant and the respondent. In the complaint petition, the complainant has said and during the hearing her counsel reiterates that the respondent has returned Rs.1.50 lakh only to her whereas the respondent has said that they have returned Rs.2.00 lakh to the complainant which is contradictory to each other. Therefore, both the parties are directed to file respective documents regarding refund amount before the next date of hearing to prove the veracity of the statement.

The complainant has said that on account of dispute between landowner and the builder, he was forced and compelled to cancel the booking of Flat No.103 of Uma Residency but she has not submitted any proof to this effect. She is directed to file proof in support of her aforesaid claim.

The respondent is also directed to state on what basis they have said that the complainant is liable to get the paid amount without interest by forfeiting the booking amount of Rs.2.20 lakh.

Both the complainant as well as respondent are directed to submit a copy of the agreement for sale. In case the said agreement was not formally executed, in that case they are directed to submit any other available document which had

been formally executed/ signed by both the parties as a sign of mutual agreement between the two.

In his written notes of argument submitted by the respondent, he has admitted that the construction of 4<sup>th</sup> floor has been completed in the project concerned. The respondent is directed to submit a copy of the approvals obtained in this regard from the competent authority before the next date of hearing.

In the light of the admission made by the respondent regarding completion of construction of 4<sup>th</sup> floor in the concerned project Uma Residency, the Registration Wing is directed to submit details of the application/ approval regarding construction of the said floor before the next date of hearing.

Put up for hearing on 03.06.2025.

Sd/-

(Sanjaya Kumar Singh)  
Inquiry Commissioner,  
RERA, Bihar