REAL ESTATE REGULATORY AUTHORITY, BIHAR

IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR

RERA/CC/519/2022

Abhishek Singh ....Complainant

Vs.

M/s Ashirwad Engicon Pvt. Ltd. …..Respondent

Project: IOB GALAXY

Present: For the Complainant: Mr. Amrendra Narayan Singh, father of the complainant

For the Respondent: None

26.02.2026 **O R D E R**

Heard Mr. Amrendra Narayan Singh, father of the complainant. Nobody appears on behalf of the respondent.

2. This case has been filed to direct the builder to deliver the flat in question immediately and pay a penalty of Rs.5,000/- per month till delivery of the flat.

3. The complainant's case, in brief, is that the complainant had booked a flat in the project "IOB Galaxy" of Ashiwad Engicon Pvt. Ltd. in the year 2015 and full amount of cost of flat being Rs.5,51,000/- was paid to the builder beforehand in cash. The builder issued a money receipt dated 12.05.2015 for the said amount. An Agreement for Sale dated 12.05.2015 was also executed by the builder in favour of the complainant. As per the terms of the said Agreement for Sale, the builder had promised to construct the project and allot a flat in the project within a period of five years from the date of approval of the map, which was approved in March, 2016 and accordingly the flat must have been handed over to him by March, 2021. But when his father Amrendra Narayan Singh and others went

on 12.06.2022 to meet the builder in his office and asked to hand over the flat, he not only refused to allot a flat, but he also started beating all the investors and their representatives and filed a false FIR against his father and others.

4. This case is one of the oldest cases pending in this court. The respondent has been given several opportunities to file reply and last chance was also given to him, even though he neither filed any reply nor appeared to oppose it and in such a situation, it appears that the respondent has nothing to say against this complaint case.

5. After perusal of the Agreement for Sale and the copy of the money receipt, it is crystal clear that the complainant's claim as stated in the complaint case is genuine one and he is thus entitled for the reliefs, as sought for.

6. The respondent is thus directed to pay a penalty of Rs.5000/- (Five Thousand only) per month from April, 2021 till delivery of the concerned flat to the complainant within 60 (sixty days) from the date of issue of this order.

7. With the above observations and directions, this case is disposed of.

Sd/-

(Vinod Kumar Tiwari)
Special Presiding Officer,
RERA, Bihar