

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mrs. Nupur Banerjee, Member**

Case No: RERA/CC/355/2023

Rajesh Kumar

...Complainant

Vs.

M/s Grih Vatika Homes Pvt. Ltd.

...Respondent

Project: Green Vatika

15/05/2024

ORDER

The matter was last heard on 18.04.2024, when Mr. Digvijay Kumar Ojha, learned counsel for the complainant was present and Mr. Shantanu Kumar, learned counsel for the respondent was also present.

In short, the case of the complainant is that the complainant had booked a flat bearing Flat No.209 in Block A, of the said project in 2012 and paid Rs.6,07,900/- out of total consideration of Rs.17,10,400/- for which the respondent has granted money receipts, but till date neither the respondent has started the project nor has given possession of the said flat. Therefore, he has prayed to direct the respondent to refund the principal amount of Rs.6,07,900/- with interest.

The complainant has placed on record the copy of the KYC and the money receipts.

Perused the record. On 18.04.2024 learned counsel for the respondent appeared and submitted that he will file reply but till date no reply has been filed by the respondent.

On the last date of hearing learned counsel for the complainant reiterated his submissions as made in the complaint petition and has prayed for refund of the amount with interest. He referred to an order dated 07.03.2024 passed by the Authority in CC/343/2023 and submitted that this case is also on the same footing. The complainant has sent a cancellation letter to the respondent on 06.07.2023 which is on record.

The Bench notes that despite opportunity given, the respondent has not filed any reply, so, in the interest of justice, order is being passed on the basis of documents available on record.

In the light of the documents placed on record and submission made and considering that the respondent has taken the economic benefit of the amount paid by the complainants in lieu of booking of the alleged flat, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.6,07,900/- to the complainant along with interest at the rate of marginal cost of fund-based lending rate (MCLR) of State Bank of India as applicable for three years plus 2% interest from the date of booking till the date of refund within sixty days of issue of this order.

With these directions and observations, the matter is disposed of.

Sd/-

**Nupur Banerjee
Member**