

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR
RERA/CC/459/2025

Pankaj Kumar Bharti**Complainant**

Vs

M/s Grih Vatika Homes Pvt. Ltd.**Respondent**

Project: URMILA VATIKA

Present: For the Complainant: Mr. Bhola Shankar, Advocate
For the Respondent: None

17.08.2026

ORDER

Heard Mr.Bhola Shankar, learned counsel appearing on behalf of the complainant. None appears on behalf of the respondent.

2. Learned counsel for the complainant submitted that the case is to be disposed of on the basis of the material available on record as per the order dated 07.05.2026.

3. Neither the respondent himself nor his counsel has appeared today nor filed any reply. The respondent has been given sufficient opportunity after the order dated 07.05.2026. In such a situation, the Bench is left with no option but to dispose of the case on the basis of the material available on record.

4. The complainant has filed this case to direct the respondent to hand over the possession of the flat concerned with parking space to him after completing the project. In the alternative,

the complainant has sought for a direction to refund the entire paid amount of Rs.16,27,597/- along with interest at the rate of 18% and also to pay compensation.

5. The complainant's case, in brief, is that the complainant and his wife jointly booked a residential flat in the Project "Urmila Vatika" at Patna, for which a registered Agreement for Sale dated 07.05.2019 was executed between both the complainant and the respondent. According to the complainant, he has already paid Rs.16,27,597/- out of a total consideration amount of Rs.24,23,500/- and now only a sum of Rs.7,95,903/- is to be paid. As per the Agreement, in case the vendor fails to hand over the possession of the flat, the developer/builder shall return the payment made by the vendee along with interest. The project was likely to be completed by 30th of June, 2021.

6. It appears that till date the respondent has neither completed the flat nor refunded the paid amount with interest to the complainant. After perusal of the Agreement for Sale, money receipts and the complaint petition, the case of the complainant appears to be genuine and as such, he is entitled to get relief, as sought for.

7. So considering the aforesaid facts and circumstances, the respondent is directed to refund the amount of Rs.16,27,597/- (Sixteen Lakh Twenty Seven Thousand Five Hundred Ninety Seven only) to the complainant and also to pay interest over the said amount of Rs.16,27,597/- (Sixteen Lakh Twenty Seven Thousand Five Hundred Ninety Seven only) calculated at the rate of marginal cost of fund-

based lending rates (MCLR) of the State Bank of India as applicable for three years plus 2% from the date of booking till the date of payment. This order is to be complied within sixty (60) days from the date of issue of this order.

8. So far other claim for compensation is concerned, the complainant is at liberty to raise the same before the Adjudicating Officer of the RERA as per the provisions of the RERA Act.

9. With the aforesaid observations and directions, the case is disposed of.

SD/-

(Vinod Kumar Tiwari)
Special Presiding Officer
RERA, Bihar