

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/412/2024

Shailesh Kumar Complainant

Vs.

M/s Anuanand Construction Pvt. Ltd. Respondent

PROJECT: SAI ENCLAVE, BLOCK-G

For the Complainant: In person

For the Respondent : Mr. Mukul Kumar Singh, Advocate

22.08.2025

ORDER

The complainant is present. Learned counsel Mr. Mukul Kumar Singh appears on behalf of the respondent without Vakalatnama.

2. The complainant submits that he booked Flat no.906 of 1600 sq. ft. in Block - G along with Car Parking space vide Agreement Form dated 25.08.2021 on consideration amount of Rs.51,00,000/-, out of which he paid Rs.2,00,000/- which is mentioned in Agreement Form. He further submits that till today the respondent neither completed the project nor delivered possession of flat nor refunded the principal amount despite request and repeated visits to the office of the respondent. He also sent a mail to the office of the respondent – promoter but no reply was given. Hence, he filed this complaint for refund of his money of Rs.2,00,000/- with interest.

3. It is evident from the record that the respondent - promoter never appeared before the Conciliation Forum Bench of RERA. However, in the proceedings before this Bench learned counsel Mr. Mukul Kumar Singh appeared for the respondent without Vakalatnama.

4. Learned counsel for the respondent submits that on completion of the project the flat will be delivered to the complainant, upon which the complainant submits that he has filed this complaint for refund of his money of Rs.2,00,000/- along with interest and still he sticks with the prayer.

/2/

5. Having heard the complainant, learned counsel for the respondent and going through the record, the Bench observes that the respondent - promoter neither honoured the commitment made to the complainant of completing the project and handing over possession of flat within the specified time nor refunded the principal amount of the complainant on his failure to deliver possession of flat. The Bench further observes that though the respondent's counsel submits that on completion of the project the flat will be delivered to the complainant but he did not file any supporting document to show and convince the other side that the project is still registered with RERA and work of the projection is going on.

6. Taking into consideration the facts and the observations made above, the Bench directs the respondent - company and its Director/s to refund the principal amount of Rs.2,00,000/- to the complainant along with interest at 2% above marginal cost of the lending rate (MCLR) of the State Bank of India on the total principal amount since the date of its payment till the date of refund within sixty days of this order.

7. The complainant is at liberty to press other claims, if any, which are in the nature of compensation, before the Adjudicating Officer, RERA.

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

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.