

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

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

RERA/CC/247/2024

Radhe Shyam Pandey Complainant

Vs.

M/s Sri Anuanand Construction Pvt. Ltd. & Anr.Respondent

PROJECT: SAI CITY - CAPITAL CENTER

For the Complainants: Mr. Ishtiyaque Hussain , Advocate

For the Respondents: Mr. Shashwat Kumar, Advocate

27.08.2025

ORDER

Learned counsel Mr. Ishtiyaque Hussain on behalf of the complainant and learned counsel Mr. Shashwat Kumar on behalf of the respondents are present.

2. At the outset, it is to note that this complaint was filed for a direction to the respondent's company to complete the construction work at the earliest and deliver possession of flat in question but vide petition dated 27.08.2025 the complainant has prayed for refund of the entire principal amount of Rs.13,10,120/- along with interest and compensation.

3. Learned counsel for the complainant submits that on 29.11.2018 the complainant had booked Flat no.801 of 3 BHK on 8th floor in Tower –I having super built-up area of 1550 sq. ft. along with covered car parking space on ground floor in the project “ Sai City – Capital Center” of M/s Sri Anuanand Construction Pvt. Ltd., situated at Khagaul, P.S. Khagaul, District – Patna, on consideration amount of Rs.58,47,500/-, out of which he paid Rs. 13,10,120/- on different dates through cheques dated 29.11.2018, 29.12.2018, 15.01.2019 & 04.10.2019, details of which are incorporated at page – 10 of the complaint. He further submits that as per commitment made by the respondent- promoter, the construction work of the building was to be completed within a

period of 3.6 years but the respondent - promoter has not taken any step with regard to completion of construction of the building so far. Hence, the complainant has moved this court by filing this complaint seeking direction to the respondent – promoter to complete the project and deliver possession of flat in question to him. However, by filing a petition dated 27.08.2025 now the complainant wants to refund his principal amount along with interest and compensation.

4. Learned counsel for the respondent by filing reply dated 22.07.2025 submits that due to several reasons the respondent – promoter could not complete the project and deliver possession of flat to the complainant but the respondent – promoter acknowledges the difficulties being faced by the complainant and has expressed willingness to refund the entire claimed principal amount to the complainant.

5. Perused 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 time granted, which has also been accepted by the respondent – promoter in his reply dated 27.07.2025 highlighting therein reasons of non-completion of the project. However, the respondent – promoter in his reply is willing to refund the principal amount to the complainant, to which the complainant is also agreed by filing a petition dated 27.08.2025.

6. In the backdrop of the submission made by the parties and on going through the material available on record, the Authority directs the respondent - company and its Managing Director Mr. Bimal Kumar to refund the principal amount of Rs. 13,10,120/- to the complainant along with interest at 2% above marginal cost of fund-based lending rate (MCLR) of the State Bank of India since the date on which the total amount was paid till the date of refund within sixty days of this order.

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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 direction, this case is disposed of.

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.