

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

Case No: RERA/CC/271/2023

Suraj Kumar Pandey

...Complainant

Vs.

M/s Grih Vatika Homes Pvt. Ltd.

...Respondent

Project: Green Vatika

03/07/2024

ORDER

The matter was last heard on 14.06.2024, when the complainant was present and Mr. Shantanu Kumar, Advocate appeared on behalf of the respondent.

In short, the case of the complainant is that the complainant had booked a flat in the said project and registration was made on 02.04.2019. He has already deposited a sum of Rs.17.26 lakh for the purpose excluding stamp duty. It is stated that the construction of the said building was to be completed by 30.06.2022 but the same has not yet been completed. Therefore, he has prayed to direct the respondent to refund the principal amount of Rs. 17.26 lakh with interest.

The complainant has placed on record the copy of the Agreement for Sale dated 02.04.2019 and the money receipts.

Perused the record. Mr. Shantanu Kumar, Advocate appeared on behalf of the respondent but he has not filed any reply.

On the last date of hearing the complainant reiterated his submissions as made in the complaint petition and has prayed for refund of the amount with interest. The complainant has already sent a cancellation letter to the respondent with a copy to the Authority. Learned counsel for the respondent stated that they are ready to refund the money in two months..

The Bench notes that despite several opportunities the respondent failed to file 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.17.26 lakh 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