

**REAL ESTATE REGULATORY AUTHORITY, BIHAR,**

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

**RERA/CC/412/2023**

Mr. Manendra Kumar .... Complainant

Vs.

M/s Grihvatika Homes Pvt. Ltd. ....Respondent

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**PROJECT: GREEN VATIKA , BLOCK –B.**

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For the Complainant: Mr. Sumit Kumar, Advocate

For the Respondent: Mr. Ankit Kumar, Advocate

**28.05.2025**

**ORDER**

Learned counsel Mr. Sumit Kumar on behalf of the complainant and learned counsel Mr. Ankit Kumar on behalf of the respondent are present.

2. Learned counsel for the complainant submits that in the year, 2013 the complainant booked a 2.5 BHH flat bearing Flat no.203 B on 2<sup>nd</sup> floor in Block – B having area of 1295 sq. ft. with one reserved car parking space of the project “Green Vatika” at Gola Road, Danapur on consideration amount of Rs.13,00,000/- out of which he deposited Rs.8,21,220/- on 04.03.2013, 07.03.2013 & 18.04.2013 respectively and in support of the same money receipts issued by the respondent – company are kept on the record. After making aforesaid payment, the complainant requested the respondent to execute Agreement For Sale but on one pretext or the other the respondent did not execute the Agreement. He also submits that the respondent had assured to complete the project within the specified time but till date the construction work has not been completed and registration of the project has also lapsed on 30.06.2022. He also submits that the complainant approached the respondent several times and requested for either completion of the

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project or to refund of his amount but the respondent did not pay heed to his request. Hence, the present complaint for refund of money along with interest and compensation.

3. Learned counsel for the respondent does not dispute the aforesaid payment of the amount made by the complainant to the respondent. He assures that the respondent is ready to refund the money of the complainant.

4. Having heard the complainant and learned counsel for the respondent as well as 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 the flat within the specified time nor is showing willingness to refund money of the complainant in spite of request made by him to refund his aforesaid amount. However, the respondent's counsel submits that the respondent is ready to refund money of the complainant.

5. In the backdrop of the submissions made by the parties and on going through the material available on record, the Bench directs the respondent - company and its Managing Director Mr. Ranjit Kumar Jha to refund the principal amount of Rs.8,21,220/- to the complainant along with interest at 2% above marginal cost of fund-based lending rate (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment within sixty days of issuance of order.

6. 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.