

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

**Case No: RERA/CC/295/2023**

**Anil Kumar**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: VIP Residency**

**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 3-BHK flat bearing Flat No.301 measuring an area of 1721 sq.ft. in the said project on 31.08.2015 for a total consideration of Rs.44,74,600/-and he in terms of the agreement has paid Rs.16.56 lakh in instalments, details of which is given in para-4(ii) of the petition. It is stated that as per terms and conditions of the agreement he requested for registry and delivery of possession of the said flat but the respondent has not taken any response. Thereafter, the complainant sent a legal notice and request letter to the respondent but they have ignored the same. Therefore, he has prayed to direct the respondent to register the said residential flat and handover the possession to the complainant or to refund the principal amount of Rs.16.56 lakh with interest.

The complainant has placed on record the copy of the KYC, a letter dated 26.07.2022 sent to the respondent in which payment details has been given and the legal notice dated 01.02.21223.

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.16.56 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**