REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Full Bench of Hon'ble Chairman, Mr. Vivek Kumar Singh & Hon'ble Members Mrs. Nupur Banerjee & Mr. S.D. Jha, RERA Bihar.

RERA/CC/536/2023

Pankaj Kishor Sharma ... Complainant

Vs

M/s Ghar Laxmi Buildcon Pvt Ltd

.....Respondent

Project: SARITA KUNJ PHASE-2

Present: For the Complainant: None.

For the Respondent: Mr. Ishtiyaque Hussain, Adv.

OR DER

<u>19.06.2024</u> Hearing taken up.The complainant is absent. Shri Ishtiyaque Hussain, learned counsel appears for the respondent.

The case of the complainant is that he booked Flat no. 402 in Block-B of the project namely SARITA KUNJ PHASE-2 in June, 2018 by making a payment of Rs. 2,50,000/- but requisite documents were not provided so, the Bank could not sanction the loan and consequently the Director of the Respondent company did not execute the agreement for sale. He further submits that when the respondent did not execute the agreement, the complainant claimed for refund of the money and thereafter the respondent refunded Rs. 2,00,000/- but Rs. 50,000/- is still to be refunded. He therefore wants refund of the remaining amount of Rs. 50,000/-.

Shri Ishtiyaque Hussain, learned counsel for the respondent submits that the money has not been arranged, hence the respondent wants some time to refund the money.

The Authority notes that though in letter dated 19-12-2019, annexed with complaint petition, complainant prays for possession of flat but during hearing on 29-05-2024, complainant submitted that respondent has refunded Rs.2,00,000/- out of paid consideration amount of Rs.2,50,000/- and now his grievance is only for refund of remaining amount of Rs.50,000/-. Hence,

considering the submissions of respondent counsel that respondent is ready to refund the balance amount as well as the material available on record, the Authority directs the respondent and its Director torefundtheremainingamountofRs.50,000/-to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates of the State Bank of India on the date on which the amount becomes due till the date of payment.

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

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

Sd/-	Sd/-	Sd/-
S.D. Jha	Nupur Banerjee	Vivek Kumar Singh
Member	Member	Chairman