

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Double Bench of Mr. Naveen Verma, Chairman,  
& Mrs. Nupur Banerjee, Member**

**Case No. RERA/CC/892/2020**

**Anjeev Kumar Shrivastava.....Complainant**

**Vs**

**M/s Realize Realcon Pvt. Ltd. ....Respondent**

**Project: Realize Green Exotica**

**Present: For Complainant: Mr. Praveer, Advocate**

**For Respondent: Mr. Shashank Shekhar, Advocate**

**28/09/2022**

**ORDER**

Hearing taken up. Both the parties are present through their respective learned counsel.

The case of the complainant is that he booked a flat in the project Realize Green Exotica on 19/01/2016. The complainant has paid Rs. 12,00,000/- but the respondent has failed to hand over the possession of the flat. Hence, filed this case seeking a refund of the amount paid along with 18% interest and compensation.

The complainant has placed on record a copy of money receipts Rs. 12,00,000/- with supporting cheques, and a booking form dated 19.01.2016 duly acknowledged by the respondent company.

Mr. Praveer, learned counsel for the complainant, reiterates his demand for a refund. He submits that the letter of cancellation could not be sent to the promoter via email as it had bounced. A copy of the same has been submitted to Mr. Shashank Shekhar, learned counsel for the respondent.

Perused the records. This matter was heard earlier and an interim order was passed on 07.09.2022. The respondent has not filed any reply despite having been given the last opportunity and therefore, the claim of the complainant is admitted.

The Authority directs the respondent company and its Directors to refund the principal amount of Rs.12 lakh along with interest at the rate of the marginal cost of fund based lending rates (M.C.L.R.) of the State Bank

of India as applicable for three years plus two percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

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

With these observations and directions, the matter is disposed of.

Sd/-

**Nupur Banerjee**  
**Member**

Sd/-

**Naveen Verma**  
**Chairman**