

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/268/2022

Mr. Rupam Choudhary..... Complainant

Vs.

M/Nissa Realtors Pvt. Ltd. Respondent

For the complainant: Mr. Punit Kumar, Advocate

For the Respondent: None

Project: G HAR APNA APARTMENT

ORDER

18.04.2023 Hearing taken up. Mr. Punit Kumar, Advocate, appears for the complainant. The respondent is absent.

Learned counsel for the complainant submits that the complainant had booked a flat in the project in the year, 2013 on consideration amount of Rs.32,50,000/-, out of which he paid Rs.30,00,000/- between the period 25.6.2013 to 12.2.2014. The possession of the flat was to be handed over within the specified time but neither the project was completed nor possession was handed over within the time granted. Hence, the complainant wants refund of the principal amount of Rs.30,00,000/- as well as interest to be accrued thereon. He also submits that the respondent never appeared before the Conciliation Forum.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notice issued on 6.4.2023. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

In the backdrop of the submissions made on behalf of the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Directors, namely, Mr. Deepak Singh and Mr. Sudhir Singh to refund the principal amount of Rs.30,00,000/- 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 (MCLR) 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.

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

sd/-
S.D.Jha
Member