

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

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

RERA/CC/80/2022

RERA/AO/11/2022

Mr. Vijay Kumar..... Complainant

Vs.

M/s Rukmani Buildtech Pvt. Ltd. .... Respondent

For the complainant: Mr. Saurabh Bishwambhar, Advocate,

For the Respondent: None

**Project: CHATRAPATI SHIVAJEE GREENS**

**ORDER**

19.04.2023 Hearing taken up. Mr. Saurabh Bishwambhar, Advocate, appears for the complainant. The respondent is absent.

Learned counsel for the complainant submits that the complainant booked a flat bearing no.508 in G- Block of the project in the year 2019 on consideration amount of Rs.42,42,000/-, out of which he paid Rs.20,75,000/-. The flat was to be handed over within the time frame but the respondent failed in handing over the flat within the time granted. Hence, the complainant wants refund of the amount with interest.

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, wherein it was specifically mentioned that in case of non-appearance, the case would be disposed of on merit on the next date (19.4.2023) on the basis of material available on the record. 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. Ajeet Azad, Mrs. Renu Azad and Mr. Rajeev Kumar Thakur to refund the principal amount of Rs.20,75,000/- 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**