

**REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR**

RERACC/178/2024

RERA/AO/56/2024

Kumkum Mala----- Complainant

Vs

M/s Sri Anuanand Construction Pvt. Ltd. -----Respondent

PROJECT – CAPITAL CENTRE

04/06/2026

ORDER

The complainant has filed this case to direct the respondent to refund the amount which they have obtained from the complainant along with the interest and any other relief/s to which deems fit and proper.

The complainant's case in brief is that the complainant is a lady (home-maker) who proposed to purchase a flat/ apartment/ Unit No. 902, Tower-T6, Type- 3 B.H.K., in project SAI CITY- CAPITAL CENTRE on the basis of advertise along with one covered Car Parking space, for which complainant made advance payment of Rs. 20,40,000/- to the respondent's company but till date no registered agreement has been executed by the respondent. One provisional allotment letter was received by the complainant wherein further demand of Rs. 14,96,000/- was made by the respondent, but till date no single piece of legible document has been issued in favour of the complainant. The complainant has paid a total amount of Rs. 20,40,000/- towards the booking of said flat for execution of Agreement for sale and handing over the possession of the property. The project was to be completed by the respondent company by 2023. Despite of paying more than 90% of the total consideration amount to the respondent's company in 2019 itself, the project has been stopped and no further construction is being done after the start of foundation casting and furthermore no further progress is being done in the project and no assurance is being given by the respondent till date. The

complainant had purchased the said unit as it is RERA registered and it is obligation of the promoter to complete the project and provide the peaceful physical possession of the said flat to the complainant within the prescribed time. The complainant approached the respondent but they did not bother and even to reply negatively. As such this case.

The respondent was given sufficient opportunity to appear but the respondent did not appear, hence this case is being disposed of on the basis of ex-parte hearing.

Heard the learned counsel for the complainant and perused the case record. As per provisional allotment letter issued by the respondent company on 11.11.2019, 20% of the total amount i.e. Rs. 21,40,000/- and also Rs. 1,07,000/- GST was to be paid to him. As per provisional letter, the complainant has paid only Rs. 7,51,000/-. The respondent neither appeared nor denied the receiving of the said amount. In such a situation it appears just and proper to direct the respondent to refund the aforesaid amount of Rs. 7,51,000/- (Rs. Seven Lakh Fifty-one thousand) to the complainant along with interest within 60 days of issue of this order. The rate of interest payable by the promoter shall be applicable for three years plus 2% interest above the MCLR rate of the State Bank of India from the date on which the amount becomes due till the date of payment.

With the aforesaid observation and direction, the present case is disposed of.

Sd/-

(Vinod Kumar Tiwari)
Special Presiding Officer
RERA, Bihar

