

**REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR
RERA/CC/224/2025**

Shashank Shekhar-----Complainant

v.

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

PROJECT:SAI ENCLAVE

13/07/2026

ORDER

The complainant has filed this case to direct/ order to the respondent to give possession of the flat at the earliest with all amenities as well as Rs. 5,00,000/- as a compensation for mental harassment, to form an association, to pay penalty/ compensation, litigation cost of Rs. 50,000/-, to order/ stay of further construction activity and handover registration of any flat on the said land property and/or any other relief/s for which he is entitled.

2. The complainant's case in brief is that the complainant and the respondent entered into a registered agreement dated 15.02.2017 to purchase a flat for which the complainant paid Rs. 25,20,000/- (Rs. Twenty-Five Lakh Twenty Thousand only) and the possession of the land was to be given within 2.5 years from the date of registered agreement, whereas map was approved by the competent Authority vide order dated 10.12.2012. The total consideration amount as per agreement was Rs. 28,00,000/- (Rs. Twenty-Eight Lakh only) including car parking of the flat. The respondent did not deliver the flat and also the complainant came to know that necessary approval has been lapsed then the complainant sent email on 23.03.2022 for cancellation which was acknowledged by the respondent that the payment will be refunded within three months and only Rs. 7,50,000/- was refunded and the said cancellation was dropped, then the complainant again sent email dated

01.09.2022 for the possession, but the same was not responded. The complainant is paying EMI against the flat since 2019.

3. Heard Shri Ishtiyaque Hussain, learned counsel for the complainant and Shri Mukul Kumar Singh, learned counsel for the respondent. On the demand of prayer, the learned counsel for the respondent stated that he is not able to construct concerned flat and he is ready to refund the amount which he has received. The learned counsel for the complainant also is ready to take remaining amount as he is not ready to give possession of the concerned flat, even in future.

4. Considering the facts and circumstances, the respondent is directed to refund remaining principal amount of Rs. 17,70,000/- (Rs. Seventeen Lakh and Seventy thousand) which was paid by the complainant to the respondent along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at 2% 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.

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

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

Sd/-

(Vinod Kumar Tiwari)
Special Presiding Officer
RERA, Bihar