

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/36/2024

Mr. Vijay Kumar Complainant

Vs.

M/s Grihvatika Homes Pvt. Ltd.Respondent

PROJECT: CORPORATE ENCLAVE.

For the Complainant: In person

For the Respondent: Mr. Ankit Kumar, Advocate

01.08.2025

ORDER

The complainant and learned counsel Mr. Ankit Kumar on behalf of the respondent are present.

2. It is relevant to mention here that the complainant filed this complaint in Form N whereas it should have been filed in Form M, for which the complainant filed an application dated 09.01.2024 stating therein that it happened due to his ignorance. He also requested therein that his complaint filed in Form N may be treated to be filed in Form M and action may be taken to get his money refunded with interest, which is considered and allowed by the Bench.

3. The complainant submits that in the year, 2013 he booked Flat no.204 on 2nd floor in the proposed project "Corporate Enclave" vide Agreement For Sale dated 26.06.2013 on consideration amount of Rs.16,99,000/- out of which he deposited as advance money of Rs.4,63,595/-, which finds mention at page -4 of the Agreement. He further submits that as per Agreement the flat was to be handed over by December, 2016. The project was registered with RERA in 2019 and as per registration of RERA the project was to be completed by 30.06.2022 but even after lapse of more than eleven years neither the project has been completed nor possession of flat has been delivered. Consequently, he sent a letter dated 28.06.2023 to the respondent to cancel the Agreement and refund his money of Rs.4,63,595/- which has not been responded so far by the respondent.

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Hence, he filed this complaint for refund of his money along with interest.

4. Learned counsel for the respondent does not dispute the Agreement dated 26.06.2013 executed between the complainant and the respondent as well as payment of money of Rs.4,63,595/- by the complainant to the respondent. He submits that the respondent is willing to refund money of the complainant.

5. Having heard the complainant and learned counsel for the respondent as well as going through the record, the Bench observes that the respondent - promoter neither honoured the commitment made to the complainant of completing the project and handing over possession of flat within the specified time nor shown promptness to refund money of the complainant in spite of letter dated 28.06.2023 sent by him to refund his aforesaid amount. However, the respondent's counsel submits that the respondent is ready to refund money of the complainant.

6. In the backdrop of the submissions made by the parties and on going through the material available on record, the Bench directs the respondent - company and its Managing Director Mr. Ranjeet Kumar Jha to refund the principal amount of Rs.4,63,595/- to the complainant along with interest at 2% above marginal cost of fund-based lending rate (MCLR) of the State Bank of India since the date of its payment till the date of its refund within sixty days of this order.

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

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

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.