REAL ESTATE REGULATORY AUTHORITY, BIHAR

IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR

RERA/CC/1083/2021

Purushottam Narayan Singh …….. Complainant

Vs

M/s Urmila Homes J.V. ……..….Respondent

Project: VIJAY ENCLAVE

Present: For the Complainant: Mr. Ram Babu Sah, Advocate
For the Respondent: None

29.12.2025 **O R D E R**

Hearing taken up. Mr. Ram Babu Sah, learned counsel for the complainant is present. None appears for the respondent.

2. The complainant has filed this case for the relief to direct the promoter to pay interest to the vendee (complainant) on the amount paid by him for every month of delay for the period from July, 2021 to date and then every month till handing over the possession of the flat.

3. The complainant's case, in brief, is that a flat bearing Flat No.206 on the second floor measuring super built-up area 1351 Sq.ft. was booked on 30th September, 2017 by Shri Purushottam Narayan Singh, son of Late Jagdish Singh (hereinafter referred to as "the Vendee") at the cost of Rs.35,77,500/-, excluding the cost of parking space in Vijay Enclave complex situated at Mauza Kiratpur Gurudashpur alias Khabra, at present P.S. Sadar, District-Muzaffarpur, by way of handing over a cheque of Rs.8,00,000/- (Eight lakh) to Sri Purushottam Pandey and Sri Rakesh Ranjan, partners of Ms Urmila Homes JV (hereinafter to be referred to as "the Vendor") on 30th September, 2017. Till now a sum of Rs. 28,60,000/- has been paid. As per agreement, stipulated date of completion was 31st December, 2020, but the project has not been completed till now. Therefore, the vendee claims payment of interest under Section 18 Clause (1) of the Real Estate (Regulation and Development) Act, 2016.

4. The respondent never appeared and as such, record proceeded *ex parte.* Now, this case is being disposed of on the basis of the material available on record.

5. After perusal of the Agreement, Annexures and the record, it appears that the builder has been paid Rs.28,60,000/- for the concerned flat and the flat was to be handed over on or before 31.12.2020 with a grace period of six months, e.g., till 30.06.2021.

6. The complainant had paid Rs.28,60,000/- to the respondent. The respondent is directed to pay interest over the said amount of Rs.28,60,000/- (Twenty eight lakh sixty thousand only) calculated at the rate of marginal cost of fund-based lending rates (MCLR) of the State Bank of India as applicable for three years plus 2% from the date of booking till the date of handing over possession. The complainant is also entitled for litigation expenses of Rs.50,000/- (Fifty thousand only) and is also entitled for compensation for mental agony and harassment caused to him for which Rs.50,000/- (Fifty thousand only) is also awarded. The respondent is directed to pay the aforesaid amounts within 60 (sixty) days from the date of issue of this order.

7. So far penalty and other remedies are concerned, they are related to the Authority and as such, the complainant is at liberty to move before the Authority.

8. With the above observations and directions, the case stands disposed of.

Sd/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar