

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman

Case Nos. RERA/CC/1707/2020

Chandramani Devi

...Complainant

Vs.

M/s Rukmini Buildtech Ltd.

...Respondent

Project: - Chatrapati Shivaji Greens

ORDER

21.09.2022

The matter was last heard on 29.08.2022.

The case of the complainant is that she booked a flat in the project Chatrapati Shivaji Greens in 2019. She has stated that she has paid Rs. 32,00,000/-. She stated that the respondent failed to handover the possession so, the complainant has filed the complaint case for refund with interest.

The complainant has placed on record copy of allotment letter dated 15-05-2019, account statement, money receipts, registered agreement for sale dated 15/05/2019 and project registration certificate issued from RERA, Bihar dated 13/09/2018.

Perused the record. The respondent has not filed any reply.

On the last date of hearing the learned counsel for the complainant reiterated the complaint petition and submitted that the complainant has paid Rs. 34,00,000/- and the respondent was absent.

The Authority recalls that the learned counsel for the respondent was present on hearing dated 21-06-2021. The respondent has not challenged the submission and prayer of the complainant.

The Authority notes that the respondent has failed to appear so, orders are being passed on the basis of documents available on record.

The Authority observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, and the promoter is not appearing, orders are being pronounced.

Having heard the submission of both the parties the Authority hereby directs the respondent company and its Director to refund the principal amount of Rs. 34,00,000/- to the complainant along with interest at the rate of marginal cost of fund-based lending rates (MCLR) of State Bank of India as applicable for three years from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions and observations, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)