

REAL ESTATE REGULATORY AUTHORITY, BIHAR
2 nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna -800023

Hearing before the Double Bench of Hon'ble Chairman, Mr. Naveen Verma,

& Hon'ble Member, Mrs. Nupur Banerjee

Case No.:-RERA/CC/824/2021

Manish Priyadarshi.....Complainant

Vs

Sri Anuanand Construction Pvt. Ltd.....Respondent

Project: Sai City Capital Centre

01.02.2022

O R D E R

This matter was last heard before Double Bench along with the batch cases on 18.01.2022.

The case of the complainant is that he has booked flat no. 201, Tower 1, 3 BHK, 1550 sq. ft. in the project- Sai City, Capital Centre at Danapur Khagaul Road, Patna . He paid Rs. 6,08,000/- as booking amount on 01.06.2019. After 2months gap in September 2019, the respondent was asked to sign the agreement for sale but the respondent informed that Tower 1 has been shifted to another side. Since the change was not suitable to the complainant he prayed for refund of the amount paid and it was assured that within 1 month it will be complied. The complainant also received mail from the respondent regarding the cancellation of the booking and initiation of refund of the amount. On 28.01.2020, Rs. 1,00,000/- was credited

in his account and then Rs. 3,50,000/- was further credited on 20.02.2020. Since the respondent has failed to refund the remaining amount, the complainant has filed the case seeking relief for refund of the amount paid i.e. Rs. 1,58,000/- along with interest of 2 years at 9% per annum compounding with mental harassment by the respondent company for Rs. 50,000/-.

The complainant has placed on record copy of letter sent to the respondent.

Perused the records, no rejoinder has been filed by the respondent. However, on the last date of hearing i.e. 18.01.2022, the learned counsel for the respondent submitted that the respondent company is ready to refund the remaining amount with interest within 2 months.

Having heard the submissions of both the parties, the Bench hereby directs the Respondent Company and its Directors to refund the amount of Rs. 1,58,000/- to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for one year from the date of deposit to the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating Officer for his claim of compensation.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)