

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mrs. Nupur Banerjee, Member

Case No: RERA/CC/203/2023

Sweeti Kumari

...Complainant

Vs.

M/s Ghar Lakshmi Buildcon Pvt. Ltd.

...Respondent

Project: Ghar Lakshmi Mile Stone

07/05/2024

ORDER

Heard Mr. Shyam Kumar Chaudhary, the husband of the complainant. The respondent is absent.

In short, the case of the complainant is that the complainant booked a flat bearing Flat No. 103 in D-Block having super built up area of 1250 sq.ft. in the said project and paid Rs.4,11,001/- as the booking amount and Rs.1.70 lakh for registered agreement and stamp duty, totaling Rs.5,81,001/-. As per assurance the complete flat in all respect will be handed over in her favour in January, 2022 but till date neither registered agreement has been done nor flat has been handed over to her. When she tried to approach the respondent several times, the office was found closed. Therefore, she has prayed to direct the respondent to refund the principal amount of Rs.5,81,001/- with interest.

The complainant has placed on record the copy of the allotment letter and the Agreement for Sale.

Perused the record. No reply has been filed by the respondent.

Today the husband of the complainant reiterates his submissions as made in the complaint petition and has prayed for refund of the amount with interest. He submits that the complainant has already sent a cancellation letter to the respondent with a copy to the Authority. He has also filed a hard copy of the cancellation letter.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench so, in the interest of justice, order is being passed on the basis of documents available on record.

In the light of the documents placed on record and submission made and considering that the respondent has taken the economic benefit of the amount paid by the complainant in lieu of booking of the alleged flat, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.5,81,001/- to the complainant along with interest at the rate of marginal cost of fund-based lending rate (MCLR) of State Bank of India as applicable for three years plus 2% interest from the date of 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/-
Nupur Banerjee
Member