

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

**Case No: RERA/CC/208/2023**

**Kumar Utkars Singh**

**...Complainant**

**Vs.**

**M/s Ghar Lakshmi Buildcon Pvt. Ltd.**

**...Respondent**

**Project: Ghar Lakshmi Milestone**

**25/07/2024**

**ORDER**

The matter was last heard on 27.05.2024 and was fixed for orders on 09.07.2024. However, due to pre-occupation of the Bench in other matter, order could not be pronounced on the date fixed. On that date, both the parties were absent.

In short, the case of the complainant is that the complainant had booked a flat bearing Flat No.407 in Block-C in the said project for a total consideration of Rs.14.00 lakh, out of which the complainant has paid Rs.3.50 lakh before the execution of agreement for sale of the flat i.e. on 20.07.2018. Thereafter the complainant visited the office of the respondent several times to know about the progress of the project but till June, 2021 no work of construction was started. Thereafter the complainant requested the respondent to refund the booking amount but no initiative was taken to refund the amount. It is stated that all of a sudden on 05.07.2021 a demand letter was sent under the signature of one Manoj Kumar demanding Rs.1.40 lakh but the complainant was not satisfied with the construction work, so again he requested for refund of the paid amount but the respondent did not take any action. Therefore, he has prayed to direct the respondent to refund the principal amount of Rs.3.50 lakh- with interest and stamp duty and registration fee paid by the complainant.

The complainant has placed on record the copy of the allotment letter and the payment receipt.

Perused the record. After issuance of notice, none has appeared on behalf of the respondent nor filed any reply.

On the last date of hearing none has appeared on behalf of both the parties but on 08.04.2024 the complainant reiterated his submissions as made in the complaint petition and has prayed for refund of the amount with interest as well as stamp duty charges. The complainant has already sent a cancellation letter to the respondent with a copy to the Authority. As per the earlier direction, the complainant has filed a hard copy of the cancellation letter along with payment receipt, allotment letter and the agreement for sale dated 20.07.2018.

The Bench notes that despite several opportunities the respondent failed to file any reply, 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 complainants in lieu of booking of the alleged flat, the Bench hereby directs the respondent company and its Directors to refund the principal amount of 3.50 lakh 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**