

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

Case No: RERA/CC/230/2023

Sheo Shankar Rajanish

...Complainant

Vs.

M/s Grih Aarambh Developer Pvt. Ltd.

...Respondent

Project: N/A

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, the complainant was present and the respondent was absent.

In short, the case of the complainant is that the complainant had booked a flat in the said project on 06.11.2017 and paid Rs.51,000/ for which money receipt has been granted and again he paid Rs.50,000/- for which also a money receipt was granted on 12.12.2017. but the developer company has not started the project till date. Therefore, he has prayed to direct the respondent to refund the principal amount of Rs.1.01 lakh with interest.

The complainant has placed on record the copy of the KYC, money receipts and the MOU.

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

On the last date of hearing the complainant reiterated his submissions as made in the complaint petition and has prayed for refund of the amount with interest. The complainant has already sent a cancellation letter to the respondent with a copy to the Authority.

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 1.01 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