

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

Case Nos. RERA/CC/420/2019
RERA/AO/92/2019

Mr. Awadesh Kumar **...Complainant**
Vs.
M/s Samrat City Infra Developers Pvt. Ltd. **...Respondent**

Project: - Samrat City

ORDER

22.12.2022

The matter was last heard on 29.11.2022. The respondent did not appear again on 13.12.2022 and hence ex-parte orders are being pronounced.

This matter has been filed against the respondent company through its Director Shri Pramod Kumar for refund of the paid amount along with interest and compensation. The facts of the case are that the complainant had booked a plot bearing number A -31 for an area of 1200 square feet in the project Samrat City in July 2016. The complainant has stated that he had paid Rs 1.00 lakhs but the respondent company did not take any step for development of the land and handing over possession. The complainant had sent a legal notice also that they were willing to pay the remaining consideration amount and that if the respondent company do not take further action the principal amount and agreed interest may be refunded to him. Being aggrieved with the respondent, the complainant filed this matter and has prayed for refund of booking amount along with interest and compensation.

The complainant has placed on record a copy of the agreement signed on 28.7.2016 mentioning the amount paid of Rs 1.00 lakh paid by him and money receipt issued by the respondent company, and copy of the legal notice sent on 16.4.2019.

The respondent has not filed any reply. Hence, the claim of the complainant is being admitted.

After considering the documents filed and submissions made by the learned counsel of the complainant, the Bench hereby directs the respondent company through its Director Shri Pramod Kumar to refund the principal amount of Rs1,00,000 /- 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 plus two percent from the date of taking the booking till 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 for compensation.

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

Sd/-
Naveen Verma
(Chairman)