

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

Case No: RERA/CC/44/2023

Rina Sahay

...Complainant

Vs.

M/s Shine City

...Respondent

Project: Tashi Sector-1

07/05/2024

ORDER

Heard Mr. Rupesh Kumar Verma, a relative of the complainant. The respondent is absent.

In short, the case of the complainant is that the complainant booked a plot bearing Flat No.C-139 in the project Tashi Sector-1 and has paid Rs.5.00 lakh to the respondent but the respondent has not given the possession of the said plot. Therefore, she has prayed to direct the respondent to refund the principal amount of Rs.5.00 lakh with interest.

The complainant has placed on record the copy of the agreement and the payment receipts.

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

Today 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 today in court.

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 plot, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.5.00 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