

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

Case No: RERA/CC/97/2023

Nilophor Begum

...Complainant

Vs.

M/s Supercity Builder Pvt. Ltd.

...Respondent

Project: Mannat City, Phase-3

23/07/2024

ORDER

The matter was last heard on 04.07.2024, when Mr. Aditya Singh, Advocate appeared on behalf of the complainant. The respondent was absent.

In short, the case of the complainant is that the complainant booked a plot bearing Plot No.C-70 having an area of 1200 sq.ft. in the said project on February, 2020 and paid Rs.7,48,980/- to the respondent. The project was supposed to be completed by August, 2022 but there is no progress in the project. It is stated that since there is no development work in the project, she has stopped payment of installments to the respondent and she cancelled her allotment and demanded refund of principal amount along with interest but they have not refunded the amount. Therefore, she has prayed to direct the respondent to refund the principal amount of Rs.7,48,980/- with interest.

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

Perused the record. No reply has been filed on behalf of the respondent.

On the last date of hearing the complainant has reiterated the prayer 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 plot, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.7,48,980/- 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