

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Telephone Bhavan, Patel Nagar, Patna-800023.

Before the Bench of Mrs. Nupur Banerjee, Member

Complaint Case Nos. CC/991/2020

Ramesh Prasad.....Complainant

Vs

M/s Nature Services Pvt. Ltd.....Respondent

Project: Asiyana Garden

25/05/2022

ORDER

The present complainant had been filed under section 31 of the Real Estate (Regulation and Development) Act, 2016 by the complainant Sri Ramesh Prasad seeking relief for the refund of the deposited amount with 18 percent compound interest. The matter was last heard on 02-05-2022.

The complainant in his complaint petitions dated 17-01-2020 has stated that he booked a shop in Ashiyana Garden project and paid total Rs.5,50000/-. He further stated that till date, the handover of the shop has not been given, Hence, filed present case seeking relief for the refund of deposited amount along with interest.

Accordingly, a notice dated 08-07-2020 was sent to the respondent company through under Section 31 of the RERA Act and Rule 36 of the RERA Rules 2017 to appear and file their reply.

The complainant has placed on record money receipts dated 14-04-2016 for Rs.3 lakh, dated 09-07-2016 for Rs.30,000/-, dated 04-07-2016 for Rs.70,000/-, dated 08-06-2016 for Rs.1 lakh, dated 25-06-2017 for Rs.50,000/-, totaling to Rs.5.50 lakh., in respect to payments made to respondent company. Further the complainant has placed on record Agreement for Sale dated 20-03-2018 and legal notice dated 29-06-2019.

Persuaded the records, no reply has been filed by the respondent and it also appears that several hearing has taken place in the present matter but no one had appeared on the behalf of respondent.

During the last hearing on 02-05-2022, Complainant has reiterated his prayer for refund.

In the light of documents placed and submissions made by complainant, the Bench hereby directs the Respondent Company and their Directors to refund the amount of Rs.5.50 lakh /-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 within sixty days of issue of this order.

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

Sd/-

Nupur Banerjee
Member