

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

Case Nos. RERA/CC/724/2019

Piyush Kumar Srivastava

...Complainant

Vs.

M/s Sarvodaya Marketing Pvt. Ltd.

...Respondent

Project: - Sarvodaya City

ORDER

18.08.2022 The matter was last heard on 29.06.2022.

The case of the complainant is that he had booked a flat in the project Sarvodaya City in 2013. The complainant had paid Rs. 19,15,675/-. The complainant stated that as the respondent failed to construct the project on time he filed the complaint for refund with interest.

The complainant has placed on record copy of application form dated 22/11/2013, MOU dated 30-12-2013, money receipts with cheque for Rs. 19,15,675/- and ledger account statement.

On the last date of hearing, the complainant reiterated his prayer for refund. Learned Counsel for the respondent had submitted that the complainant had also filed a case in the Consumer Forum but now he has withdrawn that case. He requested the allottee to wait till 2025 for the flat. He submitted that the respondent is ready for refund in installments. The complainant did not agree with the offer for refund in installments.

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

The Bench notes that the complainant ought to have sent the letter for cancellation of his booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter has been taken up for hearing, orders are being passed.

After considering the documents filed and submissions made, the Bench hereby directs the respondent and its Directors to refund Rs. 19,15,675/- 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 5% from the date of taking the booking to the date of refund within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)