

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Mr R.B. Sinha, Member**

**Case No.CC/518/2019**

Manju Devi.....Complainant

Vs

M/s Grih Aarambh Developers Pvt Ltd.....Respondent

Present: For Complainant: Mr Ashutosh Kr, son-in-law

For Respondent : Mr Shivam Singh, Advocate

**19/04/2021**

**O R D E R**

1. Smt Manju Devi W/o Shri Upendra Kumar Dubey, a resident of Flat No.202, Somkunj Aptt, AN Path, North SK Puri, Patna, has filed complaint petition under section 31 of the Real Estate ( Regulation and Development) Act 2016 against the respondent company M/s Grih Aarambh Developers Pvt Ltd for refund of her deposited money of Rs 51,000/- with interest.

**Case of the Complainant :**

2. The complainant in her complaint petition dated 06/08/2019 has submitted that she booked a 2 BHK flat in Grih Aarambh Sports City, a project of M/s Grih Aarambh Developers Pvt Ltd for consideration amount of Rs 8 lakh by depositing Rs 51,000/- on 24/04/2017. Since the project was not started, she cancelled the booking in August, 2018 and requested for refund of the booking amount with interest. The builder is neither refunding the booking amount nor taking the call.
3. A notice under Sections 03, 12, 18 & 19 of the Real Estate (Regulation & Development) Act 2016 and Rule 36 of the Real Estate (Regulation & Development) Rules 2017 was issued to the respondent company M/s Grih Aarambh Developers Pvt Ltd to submit reply/response by

04/10/2019. Since the respondent company did not submit any reply the case was fixed for hearing.

**Hearing :**

4. Hearings were held on 26/02/2020, 22/02/2021, 05/03/2021 and 09/03/2021. In course of hearing, the complainant was defended by her son-in-law while Mr Shivam singh advocate represented the Respondent company. On 22/02/2021, the respondent submitted a cheque for Rs 25,000/- to the complainant. The Bench while observing that the respondent has not complied with the last order even after undertaking to pay the full amount, directed the respondent company to refund the principal amount with reasonable interest before the next date of hearing. On 05/03/2021 learned counsel of the respondent company prayed for time to refund the remaining amount which was denied and the Bench directed them to pay back the remaining amount, otherwise heavy penalty will be imposed.
5. On 09/03/2021 learned counsel of the respondent company submitted that a cheque for Rs 26,000/- has been submitted today in RERA Office and thus, the entire deposited amount was refunded. The Bench directed the complainant to confirm the receipt after receiving the payment.

**Order :**

6. Since the respondent company has kept the deposited amount for nearly three and half years and enjoyed the economic benefits of the deposit, the Bench directs the Respondent company to pay interest at the rate of seven percent per annum from the date of deposit to the date of refund within sixty days of issue of this order.

Date : 19.04.2021

Sd/-  
R.B. Sinha  
Member