

# **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Hon'ble Chairman, Mr Naveen Verma, RERA, Bihar**

**Case No.- RERA/CC/561/2021**

**Suneela Pandey .....Complainant**

**v.**

**M/s Shreeven Homes Pvt. Ltd. ....Respondent**

**Project: - SHREEVAN VATIKA**

**17-09-2021**

**ORDER**

The present complaint was filed on 10.03.2021 by Mrs. Suneela Pandey, Resident of village Manoharpur, Post office- Mednipur, Police station- Dinara, district- Rohtas, Bihar, against M/s Shreeven Homes pvt. Ltd. through Managing Director Mr. Vikash Kumar and Ashutosh Kumar. The complainant has sought refund of paid amount along with the interest. The payment of 4,50,000 for project ' Shreevan Vatika' to the respondent is evident from the records furnished by the complainant.

The case was heard on several dates ie, 27.08.2021, 10.09.2021 and 17.09.2021; wherein complainant submitted that she had paid Rs. 4,50,000/- out of the consideration amount of Rs.19,00000/- in the year 2019.

The Bench observed that the respondent has failed to appear before the Authority, despite repeated notices having been sent. In such a situation the Bench decided to pass order ex-parte as none of the Directors of the respondent company were present during the course of hearing.

Registration Wing is directed to examine whether the project has been registered or not. It is apparent from the documents filed by the complainant that new booking was taken by the promoter in 2019. If the project is not registered with RERA, this would be in violation of Section 3 of the Real

Estate (Regulation and Development) Act, 2016. In that event, suo motu proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development ) Act, 2016.

The Authority directs the Respondent Company and their Directors to refund the principal amount of Rs.4.55 lakhs 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 one year from the date of taking the booking within sixty days of issue of this order. Let this order be pasted on the premises of the project and the office of the respondent.

**Sd/-**  
**Naveen Verma**  
**Chairman**