

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs Nupur Banerjee, Member

Case No.CC/174/2022

Dr. Kumud KaminiComplainant

Vs

M/s Shital Ingicon Pvt. Ltd.Respondent

Project: Shital Ingicon

Present: For Complainant: Mr. Deepak Kumar, Advocate

For Respondent: None

11/04/2023

ORDER

In this matter, the complainant purchased 5 bigha 8 katha and 2 dhurs of land and paid Rs.1.53 crore (1 crore 53 lakh) to the respondent for which an agreement for sale has been made between the parties. The registry has been done but the possession has not been given to the complainant. Therefore, she has prayed to direct the respondent to refund principal amount of Rs.1.53 crore with interest and compensation.

The complainant has placed on record the copy of the agreement for sale.

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

Today also the complainant reiterated her prayer for refund with interest.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench 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 consideration amount paid by the complainant in lieu of booking of the alleged land, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.1.53 crore 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 taking booking till the date of refund within sixty days of issue of this order.

As regards compensation, the complainant is at liberty to file a case before the Adjudicating Officer as per provisions of the Act.

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

Sd/-

**(Nupur Banerjee)
Member**