

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

Case Nos. RERA/CC/379/2019
RERA/AO/75/2019

Ms. Bibha Ranjan **...Complainant**
Vs.
M/s Rukmani Infratech India Pvt. Ltd. **...Respondent**

Project: - Rukmani City

Present: For Complainant: Shri Piyush Tewari, Advocate
For Respondent: None

ORDER

13.12.2022

The learned counsel for the complainant is present .
The respondent is absent .

The complainant had booked a 3 bedroom flat bearing no: 202 having area of 1566 Sq. Ft. in the project. The complainant has stated that the total consideration amount of the flat was Rs.43,65,000/- against which she has paid Rs.8,73,000/- to the respondent company. The complainant has further stated that the respondent neither entered into an agreement with her nor did they start construction of the project. Therefore, the complainant filed this matter and has prayed for refund of booking amount along with interest and compensation.

The complainant has placed on record a copy of cheque bearing no 064040 of Rs.5,00,000, cheque bearing no 597229 of Rs. 2,00,000 for which money receipt dated 13.03.2016 of Rs.7,00,000 issue by the respondent company, copy of money receipt dated 13.03.2016 for Rs.73,000, money receipt dated 21.02.2016 for Rs.1,00,000.

Perused the record. No reply has been filed by the respondent company. The respondent has not appeared despite issuance of notice. Hence the claim of the complainant is being admitted .

The learned counsel for the complainant reiterated the prayer for refund along with interest.

After considering the documents filed and submissions made by the learned counsel of the complainant, the Bench hereby directs the respondent company and their Directors to refund the interest of principal amount i.e. Rs.8,73,000 /- 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 till the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for her claim for compensation from the respondent company.

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

Sd/-
Naveen Verma
(Chairman)