

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/200/2022

Mr. Gopal Swarup Ravi..... Complainant

Vs.

M/s Ghar Laxmi Buildcon Pvt. Ltd. Respondent

For the complainant: In person

For the Respondent: None

Project: GHAR LAXMI MILESTONE

ORDER

14.03.2023 Hearing taken up. Mr. Gopal Swarup Ravi, complainant, is present. The respondent is absent. The respondent was also absent in the proceeding held on 4.7.2022 before the Conciliation Forum.

The complainant submits that he booked a flat in the project in the year, 2018 on consideration amount of Rs.14,00,000/-, out of which till 11.7.2018 he paid Rs.3,50,000/-. The flat was to be handed over within the time frame, but the flat was not handed over within the time prescribed and when he tried to meet the respondent they were never available in the office. As a result, he sent a letter of cancellation to the respondent on 21.10.2021 with a request to refund the amount with interest.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notice issued on 2.2.2023. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

In the backdrop of the submissions made by the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Directors to refund the principal amount of Rs.3,50,000/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates (MCLR) of the

State Bank of India on the date on which the amount becomes due till the date of payment.

The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-
S.D. Jha
Member