

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/24/2024

Prince Kumar Complainant

Vs.

M/s Shine City Infra Project Pvt. Ltd.Respondent

For the complainant: None

For the Respondent: None

Project:- TASHI SECTOR – 1

ORDER

03.09.2024 Hearing taken up. The complainant and the respondent both are absent.

2. The case of the complainant is that he booked Plot no.A-2 in Block No.A of 3200 sq. ft. on consideration amount of Rs.20,80,000/- through an Agreement in the year 2019. Out of the consideration amount, he paid Rs.5,20,000/- and acknowledgement receipt dated 18.01.2019 was issued, which is on the record. The plot was to be delivered within the specified period but neither the plot was handed over nor his money has been refunded in spite of requests made by him. In the instant case, he requests for refund of his money and in this connection he sent mails dated 28.04.2024 & 23.08.2024 to the respondent for cancellation of booking and refund of his money along with interest, which has not been responded so far.

3. Perused the record. The Authority observes that the respondent - promoter neither honoured the commitment made to the complainant of handing over of plot nor is showing interest in getting this case disposed of by appearing in this case in spite of sufficient opportunities given to him as well as notice issued on 12.03.2024. It further appears from the record that from the very inception the respondent – promoter has not been cooperating in this case as he neither appeared before the Conciliation Forum nor the Authority.

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.

4. Going through the material available on the record, the Authority directs the respondent - company and its Managing Directors to refund the principal amount of Rs.5,20,000/- 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 of the State Bank of India on the date on which the amount becomes due till the date of payment.

5. 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**