

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/434/2023

Mukesh Kumar Complainant

Vs.

M/s Ghar Lakshmi Buildcon Pvt. Ltd. Respondent

For Complainant: Mr. Nitin Kumar, Advocate.

For Respondent: None.

PROJECT: SARITA KUNJ, SMART CITY, BLOCK-B

ORDER

18.06.2024 Hearing taken up. Mr. Nitin Kumar, Advocate appears for the complainant. The respondent is absent.

The present case was dismissed for non prosecution on 15.02.2025. Learned counsel for the complainant requests for restoration of the case for which he has already sent a mail mentioning that the complainant could not appear on the date fixed due to medical reason.

Under such circumstances, the case is restored to its original file.

He further submits that he has already sent a cancellation letter dated 13.06.2024 for refunding an amount of Rs. One lakh which was paid for purchase of flat no. 103 and Rs. 3 lakh which was paid for purchase of flat no. 106 in the above project along with interest and compensation etc.

The respondent is again absent despite giving several opportunities vide order dated 16.01.2024, 02.02/ 2024 and 15.02.2024. It was clearly indicated in the proceeding dated 15.02.2024 that in case of non-compliance it would be presumed that they have nothing to say in this matter and an order would be passed on the basis of material available on the record. However, the respondent has neither filed any counter nor appeared in the case. Hence, it is presumed that he has nothing to say in the

matter and, therefore, the order is being passed on the basis of material available on record.

After considering the submission of the complainant, the Authority directs the respondent and its Director Shri Rahul Kumar to refund the remaining amount of Rs.4,00,000/- to the complainant along with interest within sixty days of issue of this order. The interest would be paid 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.

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