

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble
Member Mr. S.D. Jha, RERA, Bihar.**

RERA/CC/831/2019

RERA/AO/240/2019

Sri Rajendra Kumar.....Complainant

Vs.

M/s Sri Anuanand Construction Pvt. Ltd..Respondent

PROJECT:SAI ENCLAVE

For Complainants: Mr. Binod Kumar Sinha, Advocate,

For Respondent: Mr.Rakesh Roshan Singh, Advocate

ORDER

08.02.2023 Hearing taken up. Mr. Binod Kumar Sinha, Advocate, appears for the complainant. Mr. Rakesh Roshan Singh, Advocate, appears for the respondent.

Learned counsel for the complainant submits that the complainant entered into an agreement in the year 2015 with the respondent – company to purchase a flat on consideration amount of Rs.42,40,000/-, out of which he paid Rs.13,56,000/- on 06.04.2015,16.4.2015, 22.6.2015, 23.7.2015 respectively. The flat was to be handed over within a time frame but the respondent failed to hand over the flat within the stipulated time. Thereafter, the complainant made contact with the respondent – promoter for refund of the money, upon which the respondent assured to return the entire amount and, accordingly, he returned Rs.11,48,000/- to the complainant, but still Rs.2,8000/- remains to be returned. He further submits that the complainant wants refund of the remaining amount.

Learned counsel for the respondent submits that it is not in dispute that some amount of the complainant remains to be refunded and he has assured that the remaining amount would be refunded to the complainant by the respondent.

In the backdrop of the submissions advanced on behalf of the complainant and the respondent and on going through the material available on the record, the Authority directs the respondent company and its Director to refund the remaining amount of Rs.2,8000/- to the complainant along with interest within sixty days of issue of this order. The interest would be paid at the rate of Marginal Cost of Fund Based Lending Rates (MCLR) of the State Bank of India as applicable for three years plus 2% interest from the date of booking till the date of refund.

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**