

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. S.K. Sinha, Member

Case No.CC/480/2019, CC/481/2019.

Dr. Manoj Kumar/ Dr. Reena Ranjan.....Complainants

Vs

M/s Unibera Construction Ltd through its Director Mr. Mritunjay
Kumar.....Respondents

For Complainants: In persons

For Respondent: Mr Digvijay Chauhan & Mr. Mritunjay Kumar,
Directors.

23/12/2020

ORDER

Hearing taken up through video conferencing. Complainants are present in person. Again no one appears on behalf of the respondent company.

After perusal of records and heard the rival arguments of the parties. This bench has come to the conclusion that the respondent company admitted the payments made by the Husband and wife in two different villas at Bihta in the same project. The respondent company in their written reply dated 04/10/2019 has submitted that project “Unicare Homes”, Bihta was discontinued within a month of its conception ie. September 2017 and company is no longer doing this project due to land acquisition did not materialized. All the booking done in the project was of Provisional in nature. But Company would be making the refund to the respective buyers in due course of time.

But here the issue for consideration is that the respondent company utilized the part consideration amount of Husband and wife (Complainants) since booking 04/07/2017. So, it is justified submissions of complainants to award a reasonable interest on paid booking amount for which, the bench also agrees.

In light of above submission , it is therefore directed to the respondent company M/s Unibera Construction Limited and their directors to pay 8% interest per annum on the booking amount paid by the complainants(husband & Wife) in lieu of two different allotment for two Villas and is further directed to return the paid consideration amount ie. Rs. 5,18,540/- of Sri Manoj Kumar and Rs. 5,18,540/- of Smt Reena Ranjan along with above said interest commencing from 04/07/2015 i.e. the date of booking till final refund of

amount. The respondent company and their directors hereby directed to comply this order within sixty days from the publication of this order.

With above direction the case stands disposed of.

Sd/-
S.K. Sinha
Member