

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case Nos. RERA/CC/1049/2021**

**Prasoon Prakash**

**...Complainant**

**Vs.**

**M/s Sai Shrinkhala Developers Pvt. Ltd.**

**...Respondent**

**Project: - Shubh's Sai Sidheshwar Dham**

**ORDER**

**10.06.2022**

The matter was last heard on 06.05.2022.

The complainant had booked a Bungalow bearing no: B-50 admeasuring 1535 sq. ft. in the project and Agreement for sale was executed on 15.07.2017 between both the parties. The complainant has stated that the total consideration of the flat was Rs. 50,58,500/- out of which he has paid Rs. 45,11,700/- to the respondent. The respondent assured to hand over the possession in 3 years but as they failed to start the construction of the project, so, the complainant has filed the complaint case for refund of paid consideration with interest.

The complainant has placed on record Agreement for Sale dated 15.07.2017.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent executed agreement for sale without registering the real estate project with RERA. Suo Moto proceeding may be initiated against the respondent company.

The Bench notes that despite issuance of notice dated 19.04.2022, the respondent failed to appear and file their reply.

On several occasions the learned counsel for the complainant reiterated his prayer for refund.

After considering the documents filed and submissions made by the learned counsel of the complainant, the Bench hereby directs the respondent company and their Directors to refund the paid consideration i.e. Rs. 45,11,700 /- to the complainant along with interest at the rate of marginal cost of fund based lending rates ( MCLR ) of State Bank of India as applicable for three years plus one percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions and observations, the matter is disposed of.

**Sd/-**  
**Naveen Verma**  
**(Chairman)**