

Sangeeta Agarwal Vs. The Chief Administrator GMADA

Dated :16.09.2020

Present: Shri V.P. Ashish, representative for the complainant-applicant.
Shri Bhupinder Singh, Advocate, representative for the respondent.
(Through Video conferencing)

ORDER

Shri Bhupinder Singh has appeared on behalf of the respondent in response to the notice of the application. Main file of decided complaint case has also been put up by the LA branch alongwith this application.

Heard. Present application has been filed by the complainant-applicant for seeking amendment in the order dated 30.06.2020 passed by this Bench. The operative part of the said order is as under:-


"In view of above discussions and observations, the complaint stands partly and the respondent is directed to return the amount of amount of Rs.1,89,100/- along with interest at the prescribed rate as per Rule 16 of the Act i.e. State Bank of India highest marginal cost of lending rate plus 2% from the respective dates of payments by the complainant till realization. The Respondent is further directed to pay interest at the prescribed rate as per Rule 16 of the Act i.e. State Bank of India highest marginal cost of lending rate plus 2% on the amount of Rs.91,04,000/- (already refunded) to complainant w.e.f. from the payment of said amount by the complainant to the respondent till the date of refund i.e. 12.04.2019, alongwith compensation amount of

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Rs.25,000/- within sixty days from the date of this order.”

Through the present application, the complainant-applicant wants that she should be given interest on the amount of Rs.91,04,000/-, which was refunded to her by the respondent before the case in hand from the date of payments till the realization of interest. However, there is no ambiguity in the operative part of the order dated 30.06.2020 passed by this Bench. The right of the complainant-applicant had been acknowledged for claiming interest for the amount which had already been refunded to her from the date of its deposit upto the date of actual payment and, thus, there is no question of granting any further interest after the date of payment of amount, which had been refunded to her and no amendment in the said order is thus, called for. The application, therefore being without any substance is dismissed. A copy of this order be sent to the parties under rules. The misc. application be tagged with the main decided file and the same be consigned to record room after doing the needful.

Dated: 16.09.2020


(Balbir Singh)
Adjudicating Officer,
RERA, Punjab