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

## **Case Nos. RERA/CC/1017/2020**

Neelima Sinha & Ashok Kumar Sinha ...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

**Project: - IOB Main** 

## **ORDER**

**23.05.2022** The matter was last heard on 17.05.2022

The case of the complainant is that they had booked a flat in the project IOB Main on 20.02.2015 for which they had paid Rs.15,00,000/- to the respondent. The respondent company had assured the complainants to complete the project within 36 months as per MOU dated 13.02.2015 but they have failed to handover the flat till date. Hence, the complainants have filed the matter for refund of paid consideration amount along with interest and compensation.

The complainant has placed on record a copy of KYC, copy of money receipt for Rs.15,00,000/- issued by the respondent.

During hearing held on 21.04.2022 the learned counsel for the complainants submitted that they were not interested in any offer proposed by the respondent. On the next date of hearing i.e. 17.05.2022 liberty was granted to the complainants to file a supplementary petition giving details of payment made to the respondent against the booking of Flat.

Perused the record. The Bench notes that the complainant has filed the supplementary affidavit on 21.05.2022 stating therein that due to typographical error the complainant name has been wrongly mentioned, the correct name of complainant is Neelima Sinha. The

complainant further stated that the amount at which flat was offered by the respondent was Rs.15,00,000(excluding service tax and amenities charges) which was paid on 22.03.2015 vide cheque no.CBI002930 and CBI014920 and money receipt was issued for the same which he has enclosed with the affidavit.

The Bench notes that the respondent has not refuted the contention of the complaint and the supplementary affidavit of the complainant.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs. 15,00,000/- 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 three percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for their claims, which are in the nature of compensation from the respondent company.

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

Sd/-Naveen Verma (Chairman)