

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

Case No: RERA/CC/1073/2020

Sushant Kumar

...Complainant

Vs.

M/s. Agrani Homes Pvt. Ltd.

...Respondent

Project: I.O.B Nagar Block R

Present:	For Complainant:	In Person
	For Respondent:	Mr. Shatwik
		Legal Representative
		Mr. Sumit Kumar, Advocate

ORDER

26.04.2022

This matter was last heard on 11.04.2022.

The fact of the case is that the complainant had booked a flat bearing no 201 Block R of the project I.O.B Nagar by making total payment of Rs.4,00,000 on 18.06.2018. Since there was no development/construction of the project, the complainant filed this matter and has prayed for refund of booking amount along with interest.

The complainant has placed on record a copy of receipt no 115 of Rs.2,00,000 and copy of receipt no 116 of Rs.2,00,000 in Total Rs.4,00,000.

Perused the record. Neither any reply has been filed by the respondent nor he has refuted the submission of the complainant, although the legal representative of the company was present and hence the claim is being admitted.

It is apparent from the documents filed by the complainant that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo motu proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development) Act, 2016.

On the last date of hearing the learned counsel of the respondent submitted that they have given alternative offer to the complainant, but he is not interested. The complainant reiterated his prayer and submitted that he is not interested in any offer from the respondent.

Having heard the submissions the Authority directs the respondent company and their Director to refund the principal amount of Rs.4,00,000/- 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 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)