

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Full Bench of Mr. Naveen Verma, Chairman,
Mr. R.B. Sinha & Mrs. Nupur Banerjee, Members**

Case No. RERA/CC/1096/2020

Dharmaveer Singh Complainant

Vs.

M/s Agrani Homes Pvt. Ltd. Respondent

Project: IOB Nagar, Block L

15.07.2021

ORDER

30.11.2021

This matter was last heard along with the batch cases before the Full Bench on 29.06.2021.

The case of the complainant is that he booked a flat having an area of 975 sq. ft. in the year 2014, in block – L of the proposed project “IOB Nagar” of the respondent company and deposited Rs. 12,00,000/- (Twelve Lakh) as an advance. The total amount of consideration to be paid was Rs.14,00,000/- (Fourteen Lakhs). The complainant has filed a copy of the MOU dated 20.08.2014, that was entered into with the respondent company. As per the MOU the complainant has paid Rs.9,00,000/- through RTGS (UTR No.BKDNH14154156638-Dena Bank) dated 03.06.14, Rs.2,00,000/- through online account transfer (SBI-IT95397860) dated 07.06.14, Rs.1,00,000/- through online account transfer (SBI-IT97497276) dated 02.07.14. Since no development / construction of project took place, complainant prays for refund of booking amount along with interest on it.

Perused the records of the case. No rejoinder has been filed by the respondent. However, the Director of the respondent company along with his learned counsel was present on the last date of hearing and have not challenged the submission of the complainant. Mr. Alok Kumar, Director of the company has indicated before the Authority on the last hearing that he had taken bookings from a number of customers.

The Bench notes that the application of the respondent for Registration of his real estate project “IOB Nagar” was rejected through letter dated 06.09.21.

The Authority, therefore, directs the respondent company and their Directors to refund the principal amount of Rs.12,00,000/- to the complainant along with the interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years or more plus two percent from the date of taking the booking amount to the date of refund within sixty days of the issue of this order

With these directions, the matter stands disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

R B Sinha
(Member)

Sd/-

Nupur Banerjee
(Member)