

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

Case No. RERA/CC/965/2020

Shailendra Yadav.....Complainant

v.

M/s Agrani Homes Pvt Ltd.....Respondent

Project: - IDEA PROJECT

Present: For Complainant: In person

For Respondent: Mr. Alok Kumar, MD

ORDER

11-1-2022 The matter was last heard on 28-12-2021.

The case of the complainant is that he booked a plot in the project in March 2018 and paid a total sum of Rs. 16 lacs to the respondent in July 2018. The complainant alleged that even after making payment of the entire amount, the respondent failed to register the plot in his name and hence he was forced to cancel the booking. The complainant submitted that the respondent refunded the amount paid vide cheques but unfortunately, the cheques were dishonoured. The respondent subsequently refunded Rs 3.00 lakhs to him through NEFT. This complaint has been filed for the refund of the remaining principal amount with interest.

No reply has been filed by the respondent company. However, the MD of the respondent company was present during the hearing and has admitted that he has taken the amount from the complainant.

During the course of hearing, Mr. Alok Kumar, Managing Director of the respondent company has submitted that area of the entire project was small and therefore was not registered with the Authority. MD, Mr Alok Kumar further informed that the plots were handed over to few allottees and registered in their names but somehow the complainant could not get the plot registered in his name. The MD of the respondent company Mr. Alok Kumar also informed the Bench that he is ready to refund the money to the complainant by February 2022. However he has not filed any affidavit to this effect.

Have heard the submissions of both the parties. The Bench notes that the respondent company is ready to refund the amount to the complainant by February 2022. The respondent company is therefore directed to state on oath that the company shall refund the entire remaining amount by February 2022 as assured by the MD and also mention in the affidavit that the area of the entire project is small and therefore not registered with the Authority. The affidavit is to be filed within 3 days from the date of order.

The Bench hereby directs the respondent company to refund the principal amount to the complainant with interest thereon at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for two years from the date of receiving the payment till date of refund within sixty days of issue of this order.

Sd/-
Naveen Verma
Chairman