

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case No. CC/119/2021**

**Ashok Kumar Singh .....Complainants**

**Vs**

**M/s Agrani Homes Real Marketing Pvt. Ltd..... Respondents**

**Project: Agrani SBI Nagar**

**19/05/2022**

**Order**

This matter was last heard on 17-05-2022.

The case of the complainant is that he booked a flat in Agrani SBI Nagar on 23<sup>rd</sup> April, 2015 for total consideration of Rs.12,00,000 plus Service tax and paid Rs.6,50,000 till May 2016. The complainant has filed the present case seeking relief for refund of the principal amount paid along with interest.

The complainant has placed on record a copy of Booking application form, and various money receipts issued by the respondent company against payment of Rs.6,50,000.

Perused the records. No reply has been filed by the respondent. However their representative has been present and have not refuted the claim.

On the last date of hearing the complainant reiterated his prayer and submitted that neither reply was received nor has the complainant contacted him. The respondent had submitted initially that they had filed a reply.

The Bench recalls that on the last hearing a token cost of Rs.1,000/- was imposed upon the respondent. However, it seems that cost amount has not been deposited by the respondent and same shall be recoverable as per section 40(2) of the Real Estate (Regulation & Development) Act, 2016, read with Order 21- Rule - 30 of the Code of Civil Procedure, 1908.

Having heard the submissions of both the parties the bench hereby directs the respondent company and their Directors to refund Rs.6,50,000 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 two 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)**