

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

Case Nos. RERA/CC/127/2021

Mayank Kumar ...Complainant
Vs.
M/s Agrani Homes Real Marketing Pvt. Ltd. ...Respondent

Project: - Agrani Prakriti Vihar

Present: For Complainant: In Person
For Respondent: Mr. Satwik,
Legal Representative

ORDER

13.05.2022 The matter was last heard on 20.04.2022.

The case of the complainant is that he had booked a plot bearing number 817 in the project Prakriti Vihar in 2019 for which he had paid Rs.1,50,000 to the respondent. He submitted that at the time of booking the respondent company had committed to complete the project within a couple of months (September, 2019) but respondent has failed to handover the plot till date. Hence, he has filed the instant complaint and prayed for refund of deposited amount along with interest.

The complainant has placed on record a copy of KYC, copy of cheque no 000061 of Rs.1,50,000 for which money receipt no: 3844 has been issued by the respondent.

On last date of hearing the complainant reiterated his prayer and further submitted that he is not interested in the offer proposed by the respondent.

The legal representative of the respondent company did not refute the contention and agreed that the matter may be posted for order to refund the paid consideration.

It is apparent from the record that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2019. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. This matter may be included in the suo motu proceedings against the respondent under section 59 of the Real Estate (Regulation and Development) Act, 2016.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs.1,50,000 /- 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 two years from the date of taking the booking within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)