

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

Case No: RERA/CC/1296/2020

Raj Mohan Ram Dwar Singh **...Complainant**

Vs.

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

Project: Agrani Royal City Shiwala

Present: For complainant: Mr. Bhola Shankar, Advocate

For Respondent: Mr. Satwik, L.R.

Mr. Sumit Kumar, Advocate

ORDER

25.04.2022

This matter was last heard on 18.04.2022.

The fact of the case is that the wife of the complainant had booked a flat having super built up area 1300 sq. ft. on 3rd floor in the project Agrani Royal City Shiwala Block- A by making total payment of Rs.12,88,625 /- out of total consideration amount of the flat Rs. 14,94,000/-. A Memorandum of Understanding was entered on 03.04.2014 wherein the flat was to be completed within 36 months with a relaxation period of six months. Since the respondent failed to hand over the possession till date, complainant has prayed for refund of booking amount along with interest.

The complainant has placed on record a copy Memorandum of Understanding dated: 03.04.2014, copy of money receipt no 365 of Rs.6,00,000, money receipt no.1012 of Rs.6,88,625 in total Rs.12,88,625, copy of death certificate of Bina Sinha dated:19.10.2016.

Perused the records of the case. Neither any reply has been filed by the respondent nor has he refuted the submission of the

complainant, although the legal representative of the company was present and hence the claim is being admitted.

On the last date of hearing the learned counsel of the complainant reiterated his prayer for refund and was not interested in the offer made by the respondent for alternate flat.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.12,88,625/- 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 three percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions , the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)