

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

**Mrs. Nupur Banerjee, Member**

**Case No: RERA/CC/1340/2020**

**Ajay Kumar**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: Yamuna Enclave**

**Present: For Complainant: Mr. Ishteyaque Hussain, Adv.**

**For Respondent: Mr. Sumit Kumar, Adv &**

**Mr. Satwik Singh, Legal  
Representative**

**ORDER**

**12.05.2022**

This matter was last heard before Double Bench on 05.04.2022.

The case of the complainant is that he booked flat no:- 405 on 4<sup>th</sup> Floor Block-A for an area of 840 Sqft in the Project Agrani Yamuna Enclave at the rate of Rs. 2300/- per Sq Ft. for total consideration amount of Rs. 22,32,000/- including applicable service tax and Rs. 3,00,000/- on 07.05.2018 for amenities extra charge which has to be paid at the time of possession of flat. An MOU was also signed between the complainant and respondent on 17.06.2019. The complainant has filed this complaint for refund of booking amount along with interest or for possession of any ready to move flat.

The complainant by way of supplementary affidavit has placed on record copy of receipts of total amount of Rs.15,00,000/- which has already been paid to the respondent.

Perused the record. Neither any reply has been filed by the respondent nor has he refuted the submission of the complainant. On the last date of hearing, the complainant reiterated his prayer for refund of the deposited amount with interest. The legal representative of the respondent agreed that orders for refund may be pronounced.

Though the complainant has filed this case either to refund the amount with interest or to hand over possession of any ready to move flat but, on the last date of hearing i.e. on 15.02.2022, the complainant has specifically prayed for refund of his deposited amount deposited.

Having heard the submissions of both the parties the Authority directs the respondent company and their Directors to refund the principal amount of Rs.15,00,000 /- 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 from the date of taking the booking till the date of refund within sixty days of issue of this order.

Sd/-  
**Nupur Banerjee**  
(Member)

Sd/-  
**Naveen Verma**  
(Chairman)