

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Double Bench of Mr. Naveen Verma, Chairman and
Mr. S.D. Jha, Member.

Case No: RERA/CC/1600/2020

Rajnish Kumar Jha ...Complainant
Vs.
M/s Agrani Homes Pvt. Ltd. ...Respondent

Project: IOB Nagar, Block- M

18.10.2022

21.10.2022

ORDER

This matter was last heard on 11.10.2022.

The case of the complainant is that he had booked a flat bearing no: 601, on 6th Floor, admeasuring 1300 Sq. Ft. in the project IOB Nagar, Block- M on 19.03.2016 for a total consideration of Rs.17,76,500/- and had paid the total consideration amount. A Memorandum of Understanding was executed between them wherein it was mentioned that the above stated booked flat would be completed by May 2019. However, the promoter has not handed over possession of the flat till date. Therefore, the present complaint has been filed for refund of paid amount with interest.

The allottee has placed on record copy of memorandum of understanding dated 19.03.2016. It is mentioned therein at page no.8 that total consideration amount paid to the respondent is Rs. 17,76,500.

The respondent has filed their reply stating therein that they are ready to give physical possession of the flat admeasuring 1600 Sq. Ft. in another project, namely, Agrani PG- 1 within 36 months.

The Bench notes that despites issuance of notice and giving opportunity to file their response on the offer of respondent to handover a flat in another project, the complainant has neither appeared nor filed his reply/rejoinder.

After considering the documents filed and submissions made by the parties, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.17,76,500 (Rupees Seventeen Lakh Seventy Six Thousand and Five Hundred Only) to the complainant along with the interest at the rate of marginal cost of fund-based lending rate (MCLR) of State Bank of India as applicable for three years plus three percent from the date of taking booking till the date of refund within sixty days of issue of this order.

With these directions, the matter stands disposed of.

Sd/-
S.D. Jha
(Member)

Sd/-
Naveen Verma
(Chairman)