

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Double Bench of Mr. Naveen Verma, Chairman
& Mrs. Nupur Banerjee, Members**

Case No. CC/87/2021

Shalini Sinha.....Complainant

Vs

M/s Agrani Homes Real Services Pvt. Ltd..... Respondent

PROJECT: - PG Town, Block-G

ORDER

24-02-2022 This matter was last heard before Double Bench on 25.01.222.

The case of the complainant is that she had booked a flat bearing flat no. 401, measuring 1300 Sq.Ft on 26-11-2018 for a consideration amount of Rs.30,55,000/- in Project- ‘‘AGRANI P.G TOWN Block – G. The complainant has paid Rs.3,72,961/- till date. She further submitted that it was assured at the time of booking that work will start after the approval of the map but more than two and half years have been passed but no progress has been seen in the project. Hence, the complainant had requested for the refund of the deposited money along with interest. It has been submitted by the complainant that respondent has refunded Rs.2 lakh in his account but Rs.1,72,960/- is still due. Therefore, the complainant has filed the present case seeking relief for the refund of the remaining amount due with interest.

The complainant has placed on record copy of money receipts dt.07-12-2018 for Rs.3,62,960/- & dt.26-11-2018 for Rs.10,001/-, totalling to Rs.3,72,961/-.

The respondent has not filed any specific reply in this case. However, Mr. Alok Kumar, Managing Director of the respondent company was present on the last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

During the last hearing on 25-01-2022, learned counsel of the complainant had reiterated her request for refund of the remaining amount with interest.

Mr. Alok Kumar, MD of the respondent company had agreed to make the refund during the last hearing.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots without registering the real estate project with RERA for which Suo Motu proceeding be initiated against the respondent company under Section 59 of the Real Estate (Regulation and Development) Act, 2016.

After considering the documents filed and submissions made, the Bench hereby directs the respondent company and their Directors to refund the remaining amount of Rs.1,72,960/- (One Lakh Seventy Two Thousand Nine Hundred Sixty) 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/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)