

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

Mrs.Nupur Banerjee, Member

Case No: RERA/CC/395/2021

Rajeev Kumar Chaudhary

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani Highway City

Present: For Complainant: Ashok Kumar

For Respondent: Adv. Sumit Kumar

Mr. Satwik Singh,

Legal Representative

26.04.2022

ORDER

This matter was last heard along with the batch of cases before the Double Bench on 05.04.2022.

The fact of the case is that the complainant had booked flat bearing no: 302, 3rd floor, Block A having super built up area of 1350 sq. ft. in the project Agrani Highway City. The complainant has stated that against the total consideration amount of Rs.34,72,500 he had paid Rs.9,20,000 (Nine Lakh Twenty Thousand). Since there was no development/construction of the project and he got information from newspaper & Internet that respondent company had become insolvent and were not able to complete any project, he sent a legal notice on 17.02.2021. However the respondent failed to respond to the legal notice and hence the complaint has been filed praying for refund with interest.

The complainant has place on record a copy of Memorandum of Understanding dated 27.11.2019, copy of money receipt no:3562 of Rs.1,00,000, money receipt no: 3522 of Rs.20,000, money receipt no: 4171 of Rs.1,00,000, money receipt no 3531 of Rs.6,80,000 and KYC form

Perused the records of the case, no reply has been filed by the respondent.

On 01.02.2022 the MD of the respondent company objected on submission made by the complainant that respondent company had become insolvent for which MD of the respondent company sought time to file its reply.

On last date of hearing 05.04.2022 the complainant reiterated his prayer and further submitted that on last date of hearing dated 01.02.2022 the MD of the respondent company was directed to file its reply against the claim of complainant that company has become insolvent but no reply filed by the respondent company.

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.9,20,000/- 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 one year from the date of taking the booking till the date of refund 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)