

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

**Case Nos. RERA/CC/1767/2020**

**Ramesh Prasad Singh**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: - IOB Nagar Phase - II**

**Present: For Complainant: In Person**

**For Respondent: Mr. Sumit Kumar, Advocate**

**ORDER**

**05.05.2022**

The matter was last heard on 19.04.2022.

The case of the complainant is that he had booked a flat having an area of 1300 Sq. Ft. with one parking space on ground floor in the project I.O.B Nagar and Agreement for sale was executed on 20.06.2011. Against the total consideration amount of Rs.14,25,000 he paid Rs.10,00,000. Thereafter, respondent entered into negotiation with the complainant and both parties executed a fresh Agreement for sale dated 13.03.2012 of a flat having super built-up area 1325 Sq. Ft. with one car parking space in ground floor in the project namely IOB Nagar Phase II for a total consideration of the flat was Rs.13,00,0000. As per this agreement the entire consideration amount has been paid and the construction of the said project was to be completed by 2014 but since the respondent failed to handover the possession of the flat the complainant has filed this matter for refund with interest and compensation.

The complainant has placed on record copies of agreements for sale dated 20.06.2011 & 13.03.2012

During hearing the complainant reiterated his prayer for refund of deposited amount along with interest as the promoter failed to handover the possession of the flat.

The learned counsel for the respondent submitted that complainant is not interested in the offer of alternative flat/plot proposed by them.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs.13,00,000/- 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 plus five percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer for his claim of compensation.

With these directions the matter is disposed of.

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