

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Full Bench of Mr. Naveen Verma, Chairman,
Mr. R.B. Sinha & Mrs. Nupur Banerjee, Members**

Case No. RERA/CC/1779/2020

Manju Devi Complainant

Vs.

M/s Agrani Homes Pvt. Ltd. Respondent

Project: IOB Nagar, Block L

15.07.2021

ORDER

30.11.2021

This matter was last heard along with the batch cases before the Full Bench on 29.06.2021.

The case of the complainant is that she booked a flat No. 605, having a super built up area of 1300 sq. ft. on 07.12.2016, in block- L of the proposed project "IOB Nagar" of respondent company and deposited Rs.17,24,250/- (Seventeen Lakh Twenty Four Thousand Two Hundred Fifty Only) as an advance. The total amount of consideration to be paid was Rs.18,50,000/- (Eighteen Lakh Fifty Thousand Only). The complainant has paid Rs.2,00,000/- (Two Lakh) vide cheque no. SBI 603443 dated 07.12.2016, for which money receipt no. 5286 dated 08.12.2016 was issued, Rs.1,20,000/- (One Lakh Twenty Thousand) vide cheque no. 603444 dated 17.12.2016, for which money receipt no.5316 dated 18.12.2016 was issued, Rs.12,24,250/- (Twelve Lakh Twenty four thousand Two hundred fifty) vide cheque no.603447 dated 18.02.2017 for which money receipt no. 5473 dated 21.02.2017 was issued and Rs.1,80,000/- (One Lakh Eighty thousand) through account transfer from his SBI Account (A/c No. 11082141637) for which money receipt no. 5333 dated 23.12.2016 was issued. Since no development/construction of project took place, complainant prays for refund of booking amount along with interest on it. She has filed a copy of the MOU that was entered into with the respondent company.

Perused the records of the case. No rejoinder has been filed by the respondent. However, the Director of the respondent company along with his learned counsel have been present on the last date of hearing and have not challenged the submission of the complainant. Mr. Alok Kumar,

Director of the company has indicated before the Authority on the last hearing that he had taken bookings from a number of customers.

The Bench notes that the application of the respondent for Registration of his real estate project “IOB Nagar” was rejected through letter dated 06.09.21.

The Authority, therefore, directs the respondent company and their Directors to refund the principal amount of Rs.17,24,250/-to the complainant along with the interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years or more plus two percent from the date of taking the booking amount to the date of refund within sixty days of the issue of this order

With these directions, the matter stands disposed of.

Sd/-
Naveen Verma
(Chairman)

Sd/-
R B Sinha
(Member)

Sd/-
Nupur Banerjee
(Member)