

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

Case No. CC/1829/2020

Kumari Prity Sinha.....Complainant  
Vs.

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

PROJECT: - Agrani Highway City

**ORDER**

**26-04-2022** This matter was last heard before Double Bench on 05.04.2022.

The case of the complainant is that she had booked a flat in “Agrani Highway City”. He further submitted that in spite of paying total consideration amount for flat, no construction work has been yet started by the respondent at project site. It was further submitted that office of the respondent is closed and there is no mean to communicate with the respondent. Therefore, the complainant has filed the present case seeking relief to direct the respondent to transfer her membership in another nearby project which is fully completed or likely to be completed soon or refund the full amount with compensation.

On 10-02-2022, complainant has filed an affidavit stating therein that complainant had paid Rs.19,68,001/- to respondent company. It has been further submitted that papers relating to payments made to respondent is submitted. It has also been

clarified that her prayer is for refund of principal amount with interest.

The complainant has placed on record money receipts dated 01-10-2018 for Rs.5.68 lakh, dated 26-04-2018 for Rs.4 lakh, dated 29-01-2018 for Rs.1 lakh & Rs.1lakh, dated 05-01-2017 for Rs.2 lakh, dated 13-09-2017 for Rs.3 lakh, dated 14-07-2017 for Rs.1lakh, dated 10-07-2017 for Rs.1 lakh, dated 28-06-2017 for Rs.50,000/-, dated 27-06-2017 for Rs.50,000/- totalling to Rs.19,68,000/-, issued by respondent company in respect to payments made.

The respondent has not filed any specific reply in this case. However, learned counsel Mr. Sumit Kumar and Mr. Satwik Singh, Legal Representative of the respondent company was present on the last date of hearing and have not challenged the submission of the complainant and the facts are being admitted.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent has booked apartments 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 amount of Rs.19,68,000/- deposited 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.

So far the issue of compensation is concerned; the complainant is at liberty to press the claim before the Adjudicating Officer.

With these directions and observations, the matter is disposed of.

Sd/-

**Nupur Banerjee**  
**(Member)**

Sd/-

**Naveen Verma**  
**(Chairman)**