

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Double Bench of Mr. Naveen Verma, Chairman
& Mrs. Nupur Banerjee, Member

Case No. CC/1149/2020

Kanhai Sharma.....Complainant

Vs

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

Project: Agrani Kalawati

ORDER

19-05-2022

The matter was last heard on 07.04.2022 and posted for order on 05.05.2022 but orders could not be pronounced on that date.

The case of the complainant is that he had booked a flat bearing no.301, Block -A in the project Agrani Kalawati in 2018 for the consideration amount of Rs.32,51,400/- exclusive of taxes and other charges against which he paid Rs.18,00,000/- (Rupees Eighteen lakh) to the respondent company. He further stated that the respondent company has failed to hand over the possession of the flat till date. Therefore, the complainant has filed this case before the Authority and prayed for a refund of the principal amount along with compound interest.

The complainant has placed on record a copy of money receipts for the amount of Rs.13,00000/- dated 24.01.2018 and Rs. 3,00000/- dated 20.02.2018 duly acknowledged by the respondent company.

On hearing dated 04.02.2022 the learned counsel for the complainant prayed for a refund of the money paid. The Bench had observed that the respondent company may approach the complainant with its offer of an alternative flat and directed them to file their reply within a week with a copy to the complainant.

On the last date of hearing the learned counsel for the complainant has submitted that the respondent company has not contacted him with any offer and reiterated his request for refund of the deposited amount with interest.

The Authority notes that the representative of the respondent company who was present during the hearing did not refute the claim of the complainant. It observes that on the request of the MD and his submissions on the affidavit, a letter for De-freezing the bank account of the respondent company belonging to Agrani Kalawati Regency has been already issued to the concerned bank on 21.04.2022 by the Authority.

Taking note of the submission of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs.18,00,000/- to the complainant along with interest at the rate of the marginal cost

of fund based lending rates (MCLR) of State Bank of India as applicable for three years from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions, the matter is disposed of.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)