

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

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

Case No. RERA/CC/212/2021.

Pramod Tiwari..... Complainant

Vs.

Agrani Homes Real Marketing Pvt. Ltd..... Respondent

Project: Daffodils City - Block D

Present: For Complainant: In person
For Respondent: Mr. Alok Kumar, MD
Mr. Rana Ranvir Singh, Director

ORDER

29-10-2021

3-12-2021

This matter was last heard along with the batch cases before the full bench on 21.10.2021.

The case of the complainant is that he booked a flat in the project Daffodils City, on 16.09.2016 by paying a booking amount of Rs. 3,74,500/- for which a money receipt 1581 was issued to him. The complainant submitted that there has been no development in the project even after lapse of 4 years and that the construction of the project has not even started. The complainant prays for refund of the amount paid along with penal interest. He has placed on record the money receipt bearing no. 1581 and cheque bearing no. 666052 dated 16.09.2016.

Perused the records of the case. The respondent company has not filed any written reply. However, Mr. Alok Kumar, Managing Director and Mr Rana Ranveer Singh, Director of the respondent company were both present on the last date of hearing and they have not challenged the contention of the complainant and the facts are being admitted.

During the hearing held on 09.09.2021, the complainant pressed for refund.

The Bench notes that the application of registration of Project titled name "Daffodils City" has been rejected by the Authority by its letter dated 27.8.2021. The Authority also notes that on the last date Mr. Alok Kumar, Managing Director of the respondent Company had requested for time to refund the due amount.

The Authority directs the respondent company and their Directors to refund the principal amount of Rs. 3,74,500/- to the complainant along with interest on such amount 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 deposit till the date of refund within sixty days of issue of this order.

The Bench notes that an order with a defect in the instant case was inadvertently uploaded on the website of Authority on 1-11-2021 and the same was duly removed upon knowledge.

Sd/-
R B Sinha
(Member)

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)