

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

Mrs. Nupur Banerjee, Member

Case No: RERA/CC/829/2019

Richa Sinha

...Complainant

Vs.

M/s. Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Yamuna Enclave

ORDER

23.06.2022

The matter was last heard before the Double Bench on 15.02.2022. The matter was thereafter wrongly listed before the Learned Single Bench on 31.05.2022 and posted for order on 23.06.2022 before the Double Bench.

The case of the complainant is that she booked flat no:- 501 with an area of 1141 Sq ft on 15-10-2018 in the Project Agrani Yamuna Enclave at the rate of Rs. 2700/- per Sq Ft. for total consideration amount of Rs. 33,80,700/-. The complainant has stated she has paid a sum of Rs 3.80 lakhs out of the total consideration amount but since no construction was undertaken , she sent a cancellation letter to the respondent company on 15-10-2019 requesting for refund of the deposited amount with interest. It has bene alleged that till date no action has been taken by the respondent company to refund the amount to the complainant. Therefore the complaint has been filed praying for refund of the principal amount with interest.

The complainant has placed on record copy of KYC form, cancellation letter dated 15-10-2019, cheque dated 03.10.2018 for Rs 3,80,000/- and its money receipt.

Perused the record. Neither any reply has been filed by the respondent nor has he refuted the submissions of the complainant. The respondent company has orally submitted that the project is registered with RERA and work in the project would start after the bank account is defreezed. The respondent company further orally made an offer of plot in Permanandpur to the complainant, but the complainant has reiterated her request for refund of the deposited amount with interest.

Having heard the submissions of both the parties the Authority directs the respondent company and their Directors to refund the principal amount of Rs.3,80,000/- 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 from the date of taking the booking till the date of refund within sixty days of issue of this order.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)