

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman

RERA/CC/1838/2020
RERA/AO/642/2020

Shri Raj Kamal

.....Complainant

Vs

M/s Agrani Homes Pvt. Ltd.

.....Respondent

Project: Agrani Royal City Shivala, Patna

26.12.2022:

ORDER

This matter was last heard on 22.12.2022 and was fixed for ex-parte order for on 26.12.2022.

The case of the complainant is that he had booked a flat in the project Agrani Royal City Shivala with the respondent company in 2013. He had paid Rs.10 lakh against the total consideration amount of Rs.13,40,170/-. Since the respondent company has not handed over the flat, the complainant has filed the matter for refund of his deposited amount along with interest and compensation.

The complainant has filed copy of the MOU and brochure.

Perused the records. This matter was earlier heard by the Adjudicating Officer wherein the Director of the respondent company had appeared and on one date he had sought time to amicable settle the matter amicably. However, nobody appeared on behalf of the respondent company when the matter was transferred before the Authority in terms of the judgment of the Hon'ble Supreme Court of India in the case of M/s Newtech promoters and Anr. Vs. State of U. P. & Ors.

The Authority takes note that the MOU signed in November, 2014 between the parties mentions that Rs.10

lakh was paid at the time of booking. Hence, the claim of the complainant is admitted.

The Authority therefore, directs the respondent company and its Director, Mr. Alok Kumar to refund the principal amount of Rs.10 lakh to the complainant along with interest calculated at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus 4% within 60 days from the date of issue of this order.

The complainant is at liberty to press his claim of compensation before the Adjudicating Officer.

Sd/-
(Naveen Verma)
Chairman