

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

**Case No. CC/1297/2020**

Arvind Kumar Yadav.....Complainant

Vs

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

**Project: IOB Nagar Block S**

**ORDER**

**27-04-2022**        The matter was posted on orders on 13-04-2022. However, due to other preoccupation, the Bench did not sit on that date and orders could not be passed.

The case of the complainant is that he booked a Flat in the project on 31.12.2014 and that the respondent company assured to deliver the possession of the flat by 31.12.2017. It has been alleged by the complainant that when the complainant learnt that the map of the project has not been approved and passed by the competent authority, the complainant sent a cancellation letter to the respondent company on 02.01.2019 requesting to refund the deposited amount of Rs.3,15,456/- with interest within 2 -3 months. The complainant has alleged that despite repeated reminders, the respondent company has failed to the refund the amount and hence he has filed the instant complaint for refund of the principal amount with interest.

The complainant has placed on record copy of money receipt dated 31.12.2014 bearing no. 1587 for Rs 3,15,456/- and cancellation letter dated 02.01.2019.

No reply has been filed by the respondent company even after direction to the them. However Mr Alok Kumar, MD of the respondent company was present on all the dates of hearing and has orally submitted that the respondent company is ready to refund the amount to the complainant. Mr. Alok Kumar, MD of the respondent company has also submitted that the approval of the map is also pending with the Patna Metropolitan Area Authority.

During the last hearing, the complainant has reiterated his request for refund of the principal amount with interest.

The learned counsel of the respondent agreed, during the last hearing, that this matter may be posted for orders.

After considering the documents filed and submissions made, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs. 3,15,456/- 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 plus three per cent from the date of taking the booking within sixty days of issue of this order.

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

**Sd/-**  
**Nupur Banerjee**  
**(Member)**

**Sd/-**  
**Naveen Verma**  
**(Chairman)**