

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

RERA/CC/1839/2020
RERA/AO/643/2020

Mrs. Vandana

.....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 she had booked a flat in the project Agrani Royal City Shivala with the respondent in 2013 and had paid Rs.11,00,000/- against the total consideration amount of Rs.14,00,000/-. Since the respondent company did not hand over flat to the complainant, the matter has been filed for refund the principal amount along with interest and compensation.

The complainant has filed copy of the MOU and brochure. She has also filed copy of the noting of the respondent company which details the amount paid to the respondent by cheque between January to September, 2015 and Rs.35,000/- in cash totaling Rs.11,00,000/- is mentioned in the complaint petition.

Perused the records. This matter was earlier heard by the Adjudicating Officer wherein the Director of the respondent company had appeared. However, nobody appeared on behalf of the respondent company and 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 was signed on 26.09.2015 between the parties which mentions

that Rs.11 lakh was paid at the time of booking. Hence, the claim of the complainant is admitted.

The Authority therefore, directed to the respondent company and its Director, Mr. Alok Kumar to refund the principal amount of Rs.11.00 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 3% within 60 days from the date of issue of this order.

The complainant is at liberty to press her claim for compensation before the Adjudicating Officer.

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

Sd/-
(Naveen Verma)
Chairman