

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

Case Nos. RERA/CC/296/2021

Ramprity Kumar **...Complainant**
Vs.
M/s Agrani Homes Pvt. Ltd. **...Respondent**

Project: - Agrani Kalawati

Present: **For Complainant:** **In Person**
For Respondent: **Mr. Satwik Singh Legal**
Representative,

ORDER

12.05.2022

The matter was last heard on 07.04.2022 and fixed for orders on 5.5.2022. However orders could not be pronounced on that date.

The case of the complainant is that he had booked two flats in the project Agrani Kalawati in 2017 from the respondent, for a consideration of Rs32,32,500/- against which he paid Rs.3,49,000/-. The complainant has alleged that the respondent had promised that the flat will be handed over in 2020 but till date, they have not handed over the possession of the flat. Therefore, the complainant has filed this case before the Authority and prayed for a refund of the booking amount along with interest.

The complainant has placed on record a copy of KYC, Money Receipt No-5968 for Rs.2,50,000/-, money receipt dated 17.09.2017 & 03.06.2018 amount of Rs.99,000/-.

On the hearing held on 04.02.2022 the Bench directed the respondent to approach the complainant with its offer and to file their reply within a week.

On the last date of hearing the complainant reiterated his prayer and stated that the respondent company assured him that the flat in IOB Nagar would be handed over to the complainant but the respondent company has not contacted him since then. He further stated that he visited the site of IOB Nagar Project and upon inquiry, it was found that no flat is lying vacant in the project.

The Authority notes that MD of the respondent company was present during hearing did not refute the claim of the complainant. It observes that on the request of the MD and his submissions on affidavit, a letter for De-freezing the bank account of the respondent company belonging to Agrani Kalawati Regency has been already issued to the concerned bank on 21.04.2022 by the Authority.

Taking note of the submissions of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs.3,49,000/- to the complainant along with interest at the rate of the marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus one percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The Bench further directs that in case the complainant does not get relief within sixty days from the date of passing of this order, the complainant may inform the Authority by an email after which appropriate action under section 40 of the Act would be taken.

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

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)