

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

**RERA/CC/05/2022**

**Niranjan Kumar**

**.....Complainant**

**Vs**

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

**.....Respondent**

**Project: Daffodils City.**

**03.01.2023:**

**ORDER**

This matter was last heard on 22.12.2022 and was fixed for orders on 28.12.2022. However, due to Municipal Election on 28.12.2022 holiday was declared by the State Government hence, order is being pronounced today i.e. on 03.01.2023.

This matter is referred by the Conciliation Forum where due to absence of the respondent the matter could not be amicably settled.

The case of the complainant is that he had booked flat in August, 2018 in the project Agrani Daffodils City of the respondent company for a total consideration amount of Rs.28.20 lakh. The complainant has paid Rs.8 lakh in various installments. He has filed this matter for refund of principal with interest and legal expenses.

The complainant has filed copy of the money receipts and KYC issued by the respondent company.

The respondent did not appear before the Authority hence, ex-parte order is being passed. The claim of the complainant is being admitted on the basis of the documents filed by him.

The Authority notes that the complainant has not filed copy of letter of cancellation of booking sent to the respondent company. The complainant ought to have approached the Authority only after they had sent letter of cancellation to the respondent. However, since the matter has been taken up, order is being pronounced.

The Authority observes that the booking was made in 2018 without the project being registered which is in violation

of Section 3 of Real Estate (Regulation and Development) Act, 2016 and hence, directs that suo-motu proceeding may be initiated against the respondent company.

Taking in view of the submissions of the complainant, and the documents filed by him the Authority directs the respondent company and its Directors, Mr. Alok Kumar and Rana RanveerSingh to refund the principal amount of Rs.8 lakh 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 within 60 days from the date of booking to the date of refund.

The Authority observes that the claim of legal expenses falls in the nature of compensation for which the complainant may approach the Adjudicating Officer.

With these directions/observations the matter is disposed of.

Sd/-

**(Naveen Verma)**  
Chairman