

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman

Case No: RERA/CC/328/2019

RERA/AO/110/2019

Smt. Manju Jha

...Complainant

Vs.

M/s. Agrani Homes Pvt. Ltd.

...Respondent

Project: IOB Nagar Block E

Present: For Complainant: Mr. Hrisikesh, Advocate

For Respondent: None

ORDER

13.12.2022

The complainant is represented by her learned counsel today. The respondent is absent.

The facts of the case are that the complainant had booked a flat bearing no: 601 in the project 'IOB Nagar Block – E' for which the complainant has paid Rs.29,49,355 against the total consideration amount of Rs.36,91,640/-. An Agreement for Sale was executed on 12.01.2017 wherein it was mentioned that the said flat would be completed up to June, 2017 with grace period of 6 months. However, vide letter dated 11.08.2017/18.11.2017 the complainant requested to the respondent refund the deposited amount Rs.29,49,355/-. While the respondent refunded Rs.20,00,000 to the complainant Rs.9,49,355 is still due to be paid to her. Hence the matter has been filed for refund of remaining booking amount i.e. Rs.9,49,355 along with interest and compensation.

The complainant has placed on record a copy of Agreement for Sale dated 12.01.2017, letter dated 11.08.2017 and 18.11.2017 and copy of money receipt of Rs.3,71,027, Perused the record, No reply has been filed by the respondent company.

The learned counsel of the complainant reiterated his prayer for refund today and submitted that she had also paid Rs 75,480/- towards cost of registration which may also be refunded along with interest on the outstanding amount. He clarified that Rs 20.00 lakhs was refunded in 2018.

The Bench notes that despite issuance of notices, respondent failed to appear and file their reply. Hence, the claim of the complainant is admitted.

After considering the documents filed by the parties and submissions made by the learned counsel of the complainant, the Bench hereby directs the respondent company and their Director to refund the remaining principal amount of Rs.9,49,355 /- plus Rs 75,480/- paid for registration 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 one percent on the outstanding amount from the date of taking the booking within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer for her claim of compensation.

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

Sd/-
Naveen Verma
(Chairman)