

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

RERA/CC/20/2022

Manohar Kumar and Others

.....Complainant

Vs

M/s Agrani Homes Real Marketing Pvt. Ltd.

.....Respondent

Project: Crystal Avenue.

30.01.2023:

ORDER

This matter was last heard on 13.12.2022. The case of the complainant is that he had booked plot area of 800 sq. ft. in the project Crystal Avenue of the respondent company and had paid Rs.4 lakh in March-April, 2018. Since the project was not developed, the complainant requested for refund of money from the promoter against which Rs.2.50 lakh was refunded. He has filed this matter for refund of remaining amount of Rs.1.50 lakh along with interest.

This matter was heard by the Conciliation Forum in which it was submitted on behalf of the respondent on 04.05.2022 that if the interest amount would be waived, the remaining principal amount will be paid before 01.06.2022. However, the respondent neither attended meeting of the Conciliation Forum thereafter nor paid any amount to the complainant. The matter was referred to the Authority for adjudication.

Notice was issued by the Authority to the respondent but they failed to appear and hence ex-parte order is being passed.

In view of the submissions of the respondent before the Conciliation Forum, the claim of the complainant is admitted.

It is clear from the papers submitted by the complainant that the booking was made by the respondent without getting the project registered which is violation of Section 3 of Real Estate (Regulation and Development) Act, 2016 and hence, the

Authority directs that suo-motu proceeding may be initiated against the respondent company.

After considering the submissions of the promoter and the complainant and the documents filed by the complainant, the Authority directs the respondent company and its Director, Mr. Rana Ranveer Singh and Mr. Alok Kumar to refund the remaining principal amount of Rs.1.50 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 + 1% within 60 days from the date of booking to the date of refund.

With these directions/observations the matter is disposed of.

Sd/-

(Naveen Verma)
Chairman