

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

**Mrs. Nupur Banerjee, Member**

**Case No: RERA/CC/358/2021**

**Priya Srivastava**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: Agrani PG Town**

**Present: For Complainant: Mr. Isheteyaque Hussain, Adv.**

**For Respondent: Mr. Sumit Kumar, Adv &**

**Mr. Satwik Singh, Legal  
Representative**

**ORDER**

**12.05.2022**

This matter was last heard before Double Bench on 07.04.2022 and the matter was fixed for orders on 5.5.2022 but orders could not be pronounced on that date.

The case of the complainant is that she booked flat no:- 108 on 1<sup>st</sup> Floor Block-A for an area of 1300 Sqft in the Project Agrani PG Town on 02.08.2019 for total consideration amount of Rs. 15,00,000/- excluding GST and Rs. 2,00,000/- for amenities extra charge which has to be paid at the time of possession of flat. The complainant has filed this complaint for refund of booking amount along with compound interest, and other amounts in the nature of compensation.

The complainant has placed on record money receipt for from which it appears that she has paid total amount of Rs. 15,15,000/- which has already been paid to the respondent.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent has booked apartments without registering the real estate project with RERA for which Suo Motu proceeding be initiated against the respondent company under Section 59 of the Real Estate (Regulation and Development) Act, 2016.

Perused the record. Neither any reply has been filed by the respondent nor has he refuted the submission of the complainant. On the last date of hearing i.e. on 07.04.2022, the complainant reiterated his prayer for refund of the deposited amount with interest. The legal representative of the respondent agreed that orders for refund may be pronounced as the complainant was not interested in the offer of alternative flat/plot.

Having heard the submissions of both the parties the Authority directs the respondent company and their Directors to refund the principal amount of Rs. 15,15,000/- 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 two years from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press other claims which are in the nature of compensation before the Adjudicating Officer.

Sd/-

**Nupur Banerjee**  
(Member)

Sd/-

**Naveen Verma**  
(Chairman)