

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

RERA/CC/1292/2021

Mrs. Sujata Devi and Mr. Shatrughan Rajak

.....Complainant

Vs

M/s Agrani Homes Real Marketing Pvt. Ltd.

.....Respondent

Project: Agrani Daffodils City, Block-B

31.01.2023:

ORDER

This matter was last heard on 19.01.2023. The respondent remained absent despite summons having been issued and hence, ex-parte order is being passed.

The case of the complainants is that they had booked flat at Agrani Daffodils City, Block-B on a total consideration amount of Rs.31.50 lakh against which the complainant has paid Rs.3.50 lakh between December, 2019 to February, 2020. This matter has been filed for refund of the principal amount along with interest and compensation as the promoter had not started work of the project and the registration of the project was rejected by the Authority by its order dated 25.08.2021 wherein the promoter was also directed to refund the principal amount with interest.

The respondent had not appeared despite summons having been issued hence, ex-parte order has been passed.

It is clear from the conciliation proceeding that the respondent had agreed to refund the principal amount to the complainant. The complainant has also filed copies of cheques and receipts issued by the respondent company and hence the claim of refund of Rs.3.50 lakh is being admitted.

It is apparent from the papers submitted by the complainants that the booking was made with 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-moto proceeding may be initiated against the respondent company.

After considering the submissions of the promoter and the complainant and the documents filed by the complainants, 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.3.50 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 within 60 days from the date of booking to till the date of refund.

The complainants are at liberty to press his claim for compensation before the Adjudicating Officer.

With these directions/observations the matter is disposed of.

Sd/-
(Naveen Verma)
Chairman