

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
2 nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna -800023

**Hearing before the Double Bench of Hon'ble Chairman, Mr. Naveen Verma,  
& Hon'ble Member, Mrs. Nupur Banerjee**

**Case No.:-RERA/CC/1464/2020**

**Pallavi Srivastava.....Complainant**

**Vs**

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

**Project:Agrani PG Town- Block A**

**04.02.2022**

**O R D E R**

This matter was last heard before Double Bench along with the batch cases on 20.01.2022.

The case of the complainant is that she booked flat no. 206 in Block A of PG Town measuring area 1626 sq. ft. by paying total sum of Rs. 12,00,000/- between September 2017 to April 2019. The respondent assured to handover the flat by December 2020 but neither construction work has been done nor agreement papers have been provided despite payment of Rs. 12,00,000/- and in such circumstance the complainant requested for cancellation of her booking vide letter dated 03.06.2019. It is further submitted by the complainant that the respondent has refunded Rs. 4,50,000/- but Rs. 7,50,000/- is still remaining. Hence the complainant has filed the case seeking relief for refund of the remaining amount paid along with compound interest.

The complainant has placed on record copies of money receipt dated 09.10.2017 for Rs. 4,00,000/-; money receipt dated 30.10.2017 for Rs. 4,00,000/-; copy of cancellation letter dated 03.06.2019; money receipt no. 5878 issued on 20.09.2017 for Rs. 2,00,000/-; money receipt no. 3019 issued on 16.05.2018 for Rs. 2,00,000/-; copies of cheque bearing no. 992284 for Rs. 20,000/- (SBI- dated 13.09.2017) and cheque bearing no. 992292 for Rs. 20,000/- (SBI- dated 30.04.2018).

No rejoinder has been filed by the respondent. However, on the last date of hearing, the Director of the respondent company submitted that he wanted to continue with the construction work and it would take 3 years to complete the project.

The Bench observes that the application of registration of Project “PG Town” has been rejected by the Authority by order dated 02.09.2021 but the promoter is at liberty to apply again with the relevant documents.

The complainant, however, reiterated her request for refund of amount paid along with interest.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots 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.

Having heard the submissions of both the parties, the Bench hereby directs the Respondent Company and its Directors to refund the amount of Rs. 7,50,000/- to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for three years from the date of deposit to the date of refund within sixty days of issue of this order.

Sd/-

**Nupur Banerjee**  
**(Member)**

Sd/-

**Naveen Verma**  
**(Chairman)**