

# **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/1434/2020

Vikash Bharti.....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 he booked flat no. 306 in Block A of PG Town on 22.02.2019 by paying total sum of Rs. 3,81,000/- in various instalments on different dates. The complainant has submitted that till date neither the development work has been commenced nor the aforesaid project is registered with RERA. Since no construction work has been done, the complainant has cancelled his booking and requested for refund of amount paid but the respondent has not refunded the said amount till date. Hence the complainant has filed the case seeking relief for refund of the amount paid along with interest.

The complainant has placed on record copy of cancellation letter dated 11.12.2019, copies of receipt bearing no. 3733 for Rs. 81,000/- issued on 22.02.2019; receipt bearing no. 3798 for Rs. 40,000/- issued on 25.03.2019; receipt bearing no. 3862 for Rs.

60,000/-issued on 30.03.2019, receipt bearing no. 3894 for Rs. 2,00,000/- issued on 23.04.2019, copies of cheque bearing no. 235362 for Rs. 81,000/- (SBI- Dated 22.02.2019); cheque bearing no. 235363 for Rs. 40,000/- (SBI- Dated 25.03.2019); cheque bearing no. 010765 for Rs. 60,000/- (Axis Bank- Dated 28.03.2019) and copy of RTGS slip of Axis Bank dated 23.04.2019 for Rs. 2,00,000/-.

No rejoinder has been filed by the respondent. However, on the last date of hearing , the respondent submitted that he is ready to refund the amount paid by the complainant.

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. The Bench also observes that the application of registration of Project “PG Town” has been rejected by the Authority by order dated 02.09.2021.

Having heard the submissions of both the parties, the Bench hereby directs the Respondent Company and its Directors to refund the amount of Rs. 3,81,000/- to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for two 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)**