

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/1764/2020

Ramjanam Vipra.....Complainant

Vs

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

Project: Agrani PG Town- Block B

04.02.2022

O R D E R

This matter was last heard on 20.01.2022.

The case of the complainant is that he booked a flat no. 207, second floor measuring 1000sq.ft in Block B of PG Town located at Sarari, Danapur dated 05.11.2018 by paying total consideration amount of Rs. 12,50,000 (Twelve lakh fifty thousand). The complainant has submitted that till date neither the development work has been commenced nor the aforesaid project is registered with RERA. Since no further construction work has been done, the complainant has requested for refund of amount paid but no response has been given by the respondent company till date. Hence, the complainant has filed the case seeking relief for refund of the amount paid along with 18% interest and compensation.

The complainant has placed on record copy of memorandum of understanding executed on 10.06.2019 and copies of receipt no. 3514 for Rs.5,0000/- dated 05.11.2018; receipt no. 3931 for Rs. 10,000/- dated 18.05.2019; receipt no. 3618 for Rs. 50,000/- dated 25.12.2018; receipt no. 3619 for Rs. 50,000/- dated 25.12.2018; receipt no. 3621 for Rs. 89,000/- dated 26.12.2018; receipt no. 3620 for Rs. 11,000/- dated 26.12.2018; receipt no. 3726 for Rs. 1,50,000/- dated 18.02.2019; receipt no. 3898 for Rs. 69,000/- dated 25.04.2019; receipt no. 3929 for Rs.71,000/- dated 15.05.2019 issued by the respondent company in respect of payments made.

No reply has been filed on behalf of the respondent. However, Mr. Alok Kumar, Managing Director of the respondent company was present on the last date of hearing and did not challenge the submission of the complainant and the facts are being admitted.

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.

On the perusal of records filed by the complainant, the Bench hereby directs the Respondent Company and its Directors to refund the amount of Rs. 12,50,000/- 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.

The complainant is at liberty to press his claim for compensation before the Adjudicating Officer.

With these directions and observations, the matter is disposed of.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)