

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**RERA/CC/1717/2020**

**RERA/AO/587/2019**

**Ravi Raj Patel**

**.....Complainant**

**Vs**

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

**.....Respondent**

**Project: Agrani Suraj Suman**

**14.03.2023:**

**ORDER**

This matter was last heard on 21.02.2023.

The complainant had booked a flat no.403 in project Agrani Suraj Suman and another flat number 502 in the same project. He had thereafter cancelled the booking for flat number 502. He has stated that he has deposited Rs.4.60 lakh for flat no.403 against the consideration amount of Rs.26.40 lakh. The complainant has mentioned that the payment was made on 20.09.2017. However, the respondent did not execute agreement for sale. He has filed copies of the receipts. He further submits that since the work has not started he had sent letter for cancellation of booking and refund of deposited amount Rs.4.60 lakh along with interest thereon.

The matter has been transferred from the Adjudicating Officer.

The Director of the respondent company had appeared earlier but has not filed any reply and hence the matter is being decided ex-parte.

The Authority takes note of the documents filed by the complainant and admits the claim of payment of Rs.4.60 lakh.

The Authority also observes that the booking was made and the payment was received after the enactment of the Real Estate (Regulations and Development) Act, 2016 and the promoter has violated Section 3 of the Act by not getting the project registered.

The Authority directs that suo-motu proceeding may be initiated against the promoter.

In view of the submissions made by the complainant and the documents filed by him, the Authority hereby directs the respondent company and its Director, Mr. Alok Kumar to refund the principal amount of Rs.4.60 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 plus 2% calculated from the date of booking till the date of refund within 60 days from the date of this order.

With these directions the matter is disposed of.

Sd/-

**(Naveen Verma)**  
Chairman