

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Double Bench of Mr. Naveen Verma, Chairman &

Mrs. Nupur Banerjee, Member

Case No: RERA/CC/426/2021

Santosh Kumar

...Complainant

Vs.

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

...Respondent

Project: Agrani PG Town

Present: For Complainant: Mr. Deepak Kumar, Adv.

For Respondent: Mr. Sumit Kumar, Adv &

**Mr. Satwik Singh, Legal
Representative**

ORDER

12.05.2022

This matter was last heard before Double Bench on 07.04.2022. The matter was fixed for orders on 5.5.22 but orders could not be pronounced on that date.

The case of the complainant is that he booked flat no:- 208 on 2nd Floor Block-F for an area of 1300 Sqft in the Project Agrani PG Town on 19.08.2016 for total consideration amount of Rs. 13,00,000/- excluding GST and Rs. 1,00,000/- for amenities extra charge which has to be paid at the time of possession of flat. The complainant has filed this complaint for refund of booking amount along with interest, and other amounts which fall in the category of compensation.

The complainant has placed on record money receipt for an amount of Rs. 10,00,000/- and copy of MOU signed between the parties from which it appears that the complainant has paid total amount of Rs.12,44,2019/- out of Rs. 14,00,000/- which has already been paid to the respondent.

Perused the record. Neither any reply has been filed by the respondent nor has he refuted the submission of the complainant. On the last date of hearing i.e. on 07.04.2022, the complainant reiterated his prayer for refund of the deposited amount with interest. The legal representative of the company had agreed that this matter may be posted for orders as the complainant was not interested in the offer of alternative flat/plot.

Having heard the submissions of both the parties the Authority directs the respondent company and their Directors to refund the principal amount to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years or more plus two percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press other claims which are in the nature of compensation before the Adjudicating Officer.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)