

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

**Case Nos. RERA/CC/463/2021**

**Gyanendra Vikram Singh**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: - Agrani Ashoka, Block “C”**

**ORDER**

**10.08.2022**

The matter was last heard on 22.06.2022.

The case of the complainant is that he booked a flat in the project Agrani Ashoka, Block “C” on 13<sup>th</sup> March 2019 for which he paid Rs. 5,00,000/- to the respondent. As per the M.O.U the respondent was supposed to handover the flat within 36 months with a relaxation of 6 months, but seeing no progress , he sent an application for cancellation of booking which was received by the promoter. However, failing to get a refund, this complaint has been filed seeking refund of the principal amount paid along with interest and compensation.

The complainant has placed on record copy of K.Y.C dated 27.04.2019, money receipt against the payment of Rs.5,00,000/- duly issued by the respondent, booking cancellation application dated 26.08.2020.

On the last date of hearing the Learned Counsel for the complainant reiterated his prayer for refund and stated that the respondent has not given any alternative offer.

Perused the record. No reply has been filed by the respondent.

The Bench notes that a penalty of Rs. 1,000/- was imposed on the respondent for non- appearance before the Bench has not been deposited till date.

After considering the documents filed and submissions made by complainant, the Bench hereby directs the respondent company and their Directors to refund the outstanding principal amount of Rs. 5,00,000/- 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 two years from the date of taking the booking to the date of refund within sixty days of issue of this order.

As far as the penalty of Rs. 1,000 imposed upon the respondent company is concerned, the Bench notes that if the said amount is not paid within the period of 30 days as stated above, failing which action may be initiated under order 21 rule 30 of C.P.C read with section 40(1) of the RERA Act.

So far as other claims are concerned, the Bench observes that these are in the nature of compensation. The complainant is at liberty to press these claims before the Adjudicating Officer.

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

Sd/-  
**Naveen Verma**  
**(Chairman)**