

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

Mrs. Nupur Banerjee, Member

Case No: RERA/CC/684/2021

Neetu Kumari

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: PG Town

Present: For Complainant: In Person

For Respondent: Mr. Alok Kumar, MD

ORDER

15.02.2022

This matter was last heard before Double Bench on 20.01.2022.

The case of the complainant is that she booked a flat no. G-05 in Block B of PG Town by making total payment of Rs.2,00,000 (Two Lakh) out of total consideration amount Rs. 12,00,000 (Twelve Lakh). Since there was no development/construction of the project, complainant has prayed for refund of booking amount along with interest.

The complainant has placed on record copy of cheque no 005447 of Bank of Maharashtra dated 31.01.2018 for which receipt bearing no. 2805 of Rs. 2,00,000/- issued on 03.02.2018 by the respondent company.

No reply has been filed by the respondent.

On the last date of hearing, Mr. Alok Kumar, M.D of the respondent company agreed to refund the deposited amount of the complainant.

It is also apparent from the documents filed by the complainant that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo Moto proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development) Act, 2016.

Having heard the submissions of both the parties the bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.2,00,000/- 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 till the date of refund within sixty days of issue of this order.

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

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)