

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

Case Nos. RERA/CC/696/2021

Nayan Kumar Priyadarshi ...Complainant
Vs.
M/s Agrani Homes Pvt. Ltd. ...Respondent

Project: - Agrani Kalawati

Present: For Complainant: Adv. Ritesh Kumar
For Respondent: Mr. Satwik Singh,
Legal Representative

ORDER

12.05.2022_

The matter was last heard on 07.04.2022 and posted for order on 05.05.2022 but orders could not be pronounced on that date.

The case of the complainant is that he had booked a flat bearing no:303, Block -A in the project Agrani Kalawati in 2017 for the consideration amount of Rs.16,27,750 against which paid Rs.5,10,000 to the respondent company. He further stated that the respondent company promised that the flat will be handed over by Jan,2021 but till date, the respondent has not handed over the possession of the flat. Therefore, the complainant has filed this case before the Authority and prayed for refund of booking amount along with interest.

The complainant has placed on record copy of KYC, Money Receipt No:5677, 5676 & 5830 amount of Rs.5,10,000

On hearing dated 04.02.2022 the learned counsel for the complainant prayed for refund of money paid or possession of land

of equivalent value. The Bench had observed that the respondent company may approach the complainant with its offer of alternative flat and directed them to file their reply within a week with a copy to the complainant.

On last date of hearing the learned counsel for the complainant has submitted that the he has filed an affidavit for refund as the complainant is not interested in the offer by the respondent company.

The Authority notes that the representative of the respondent company who was present during hearing did not refute the claim of the complainant. It observes that on the request of the MD and his submissions on affidavit, a letter for De-freezing the bank account of the respondent company belonging to Agrani Kalawati Regency has been already issued to the concerned bank on 21.04.2022 by the Authority.

Taking note of the submissions of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs.5,10,000/- 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 three years plus one percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The Bench further directs that in case the complainant does not get relief within sixty days from the date of passing of this order, the complainant may inform the Authority by mail after which appropriate action u/s 40 of the Act would be taken.

With these directions the matter is disposed of.

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)