

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

**Before the Full Bench of Mr. Naveen Verma, Chairman, Mr. R.B. Sinha, Member
and Mrs. Nupur Banerjee, Member**

Case No.RERA/CC/699/2021.

Aman Kumar..... Complainant

Vs.

Agrani Homes Real Marketing Pvt. Ltd.....Respondent

Project: Daffodils City - Block E

Present: For Complainant: In person
For Respondent: Mr. Alok Kumar, MD
Mr. Rana Ranvir Singh, Director

ORDER

**29-10-2021
3-12-2021**

This matter was last heard along with the batch cases before the full bench on 21.10.2021.

The case of the complainant is that he booked a flat in the project Daffodils City-Block E of the respondent company in July 2019 and paid a sum of Rs.3,10,000/- (Three Lakhs Ten Thousand) as booking amount on different dates against which money receipts bearing nos. 4024, 4030 and 4169 were issued by the respondent company. The complainant alleged that even after lapse of 2 years, the work has not started and upon approaching the respondent company, the complainant was informed that the entire paid amount shall be refunded to the complainant, however, till date no amount has been refunded to the complainant. The complainant has placed on record the money receipts bearing nos. 4024, 4030 and 4169 along with the complaint.

Perused the records of the case. The respondent company has not filed any written reply. However, Mr. Alok Kumar, Managing Director and Mr Rana Ranveer Singh, Director of the respondent company were both present on the last date of hearing and they have not challenged the contention of the complainant and the facts are being admitted.

During the hearing on 09.09.2021 the complainant reiterated his request for refund with interest.

The Bench notes that the application of registration of Project titled name "Daffodils City" has been rejected by the Authority by its letter dated 27.8.2021. The Authority also notes that on the last date Mr. Alok Kumar, Managing Director of the respondent Company had requested for time to refund the due amount.

The Authority observes that the respondent company has committed flagrant violation of section 3 of the Act by booking the apartment in 2019 , therefore, suo moto proceedings be initiated against the respondent company.

The Authority, after perusing the record and submissions of the parties, directs the respondent company and their Directors to refund the principal amount of Rs. 3,10,000/- to the complainant along with interest on such amount 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 deposit to the date of refund within sixty days of issue of this order.

The Bench notes that an order with a defect in the instant case was inadvertently uploaded on the website of Authority on 1-11-2021 and the same was duly removed upon knowledge.

Sd/-
R B Sinha
(Member)

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)