

REAL ESTATE REGULATORY AUTHORITY, BIHAR
2nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna – 800023

**Before the Double Bench of Hon'ble Chairman, Mr. Naveen
Verma & Hon'ble Member, Mrs. Nupur Banerjee**

Case No.:- RERA/ CC/726/2021

Subodh Ranjan.....Complainant

Vs

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

Project: PG Town, Block – C

15.02.2022

18.02.2022

ORDER

This matter was last heard before Double Bench on 20.01.2022.

The case of the complainant is that he booked flat no. - 308 in "AGRANI P.G TOWN" Block- C on 8/07/2019 having area 1300 Sqft for a total consideration of RS 16,00,000/- and that he has paid Rs.14,00,000 in various instalments on several dates. Since no work has been done by the respondent till date, the complainant has filed the case seeking relief for refund of the amount paid along with interest.

The complainant has placed on record M.O.U. dated 12/12/2019 for flat no. 206, KYC dated 08/07/2019 for Flat no. 308, Money receipts dated 25.10.2019 bearing no. 4149 for Rs. 2,25,000, Money receipt dated 16.10.2019 bearing no. 4142 for Rs. 1,75,000, Money receipt dated 29.08.2019 bearing no. 4104 for Rs. 5,00,000, Money receipt dated 17.07.2019 bearing no. 4036 for Rs. 4,00,000, Money receipt dated 11.07.2019 bearing no. 4028 for Rs. 1,00,000, Copy of Aadhar Card.

The respondent has not filed any reply in this case. However, Mr. Alok Kumar, Managing Director of the respondent company was present on the last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

On the last date of hearing the complainant reiterated his request for refund of the deposited money with interest.

The Bench notes that the project is not registered and it is apparent from the document filed by the complainant that the respondent has violated section 3 of the Real Estate (Regulation & Development) Act, 2016 and directs that Suo Moto proceeding U/s 59 of the Act may be initiated against the respondent.

The Bench directs the Respondent Company and its Directors to refund Rs.14 Lakhs to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for one year from the date of deposit to 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