

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Bench of Mrs. Nupur Banerjee, Member**

**Case Nos. RERA/CC/749/2021**

**Chandan Upadhyay** ...Complainant

**Vs.**

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

**Project: - Agrani BOB City**

**For Complainant: Mr. Ashit Kumar Jha, Advocate**

**For Respondent: Mr. Satwik Singh, L.R.**

**ORDER**

**13.07.2022** The matter was last heard on 15.06.2022

The case of the complainant is that he booked Flat No. 504 admeasuring 1630 sq.ft. in the project in 2015. The complainant has paid Rs. 4,00,000/- out of the total consideration of Rs. 11,38,500/-. The complainant has stated that the respondent failed to start the construction of the project so, he approached the respondent and sent a cancellation letter dated 25-10-2019 asking respondent for refund of paid consideration of Rs. 4,00,000/- . As the respondent failed to refund the paid consideration till date, the complaint case has been filed for refund of paid consideration with interest.

The complainant has placed on record money receipt dated 01/08/2015 and KYC bearing no.239.

On last date of hearing dated 15/06/2022, the learned counsel for the complainant reiterated the request for refund. The L.R. of the respondent has not challenged the submission of the learned counsel for complainant and submitted that they are ready to refund the amount.

The Bench notes that the complainant has sent cancellation letter asking for the refund but the promoter had failed to refund the same.

The Bench observes that the application of registration of Project "BOB City" has been rejected by the Authority by order dated 06.09.2021.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent and their Directors to refund the paid consideration of Rs 4,00,000/- 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 three years plus three percent from the date of taking the booking 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)**