

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No. CC/783/2021

Amit Kumar KeshriComplainant

Vs

M/s Agrani Homes Pvt. Ltd.Respondent

Project: IOB Nagar

Present: For Complainant: In Person

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

20/07/2022

ORDER

Hearing taken up. Complainant is present in person. Mr. Satwik Singh, Legal Representative is also present on behalf of the respondent company.

The complainant present in person submits that he booked two flats in the name of his wife Priti Kumari in project IOB Nagar, Block-Q, admeasuring 1300 sq.ft. each in 2015 and accordingly paid total consideration amount of Rs.29,95,760/- in respect to booked flats. He further submits that after the payment of above said amount, an Agreement for Sale dated 19-11-2015 has been executed between the complaint's wife and respondent company and as per the Agreement, the flat has to be handed over within 3 years but till date neither the possession of flat has been handed over nor the refund of the amount has been made. Hence, he filed present complaint seeking relief for the refund of the amount paid along with interest and compensation.

Mr. Satwik Singh, Legal Representative of the respondent company present offer alternative proposal to complainant which the complainant denied and submits he wants refund only.

Perused the records of the case. No reply has been filed by the respondent. However, Mr. Satwik Singh, Legal Representative of the respondent company present during the hearing today has not challenged the submissions of complainant and the facts are being admitted.

The complainant has placed on record Memorandum of Understanding dated 19-12-2015, wherein at page-3, it is mentioned that total amount paid to complainant is Rs.29,95,760/-.

In the light of submissions made, perusal of case records and considering that the prayer of complainant for refund, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.29,95,760/-. (Twenty Nine Lakh Ninety Five Thousand Seven Hundred Sixty) 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 plus three percent from the date of taking the booking within sixty days of issue of this order.

The complainant is at liberty to press the claim for compensation before the court of A.O.

Sd/-

Nupur Banerjee
Member