

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No. RERA/CC/865/2021

Rashmi Sinha.....Complainant

Vs

Agrani Homes Pvt. Ltd.....Respondent.

Project: Agrani Royal City

For Complainant: Mr. Pankaj Kr. Singh, Advocate

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

ORDER

24.08.2022

The matter was last heard on 02.08.2022.

The case of the complainant is that she booked a flat in the project Agrani Royal City, Shivala and paid Rs.6,18,540 in 2014. Memorandum of Understanding was executed on 02.03.2014 between the parties. As construction was not undertaken the complainant cancelled the booking in 2020. The allottee has filed the present case seeking refund of the principal amount paid along with interest.

The complainant has placed on record copy of M.O.U dated 02.03.2014, Notice dated 30.01.2020 for refund of paid amount and money receipts, issued by the respondent company against payment of Rs. 6,18,540/- .

Perused the records. No reply has been filed by the respondent. However, their representative has been present in the proceedings and has not refuted the claim.

On the last date of hearing the learned counsel for complainant has reiterated his prayer for refund and submitted that on the last occasion the respondent was directed to refund the amount but they have not refunded the amount.

The Legal Representative of the respondent had prayed on the last hearing to submit an affidavit regarding how the refund will be made to complaint but the Bench observes that the same has not been filed as prayed.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.6,18,540/- to the complainant along with interest at the rate of marginal cost of fund based lending rate (MCLR) of State Bank of India as applicable for three years or more plus three percent from the date of taking the booking till 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)