

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/CC/916/2020

Mithilesh Kumar Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.Respondent

Project: Impulse Enclave

27.09.2021

03.12.2021

ORDER

This matter was last heard along with the batch cases before the full bench on 06.09.2021.

The case of the complainant is that he booked a flat No.306, having a super builtup area of 1320 sq. ft. on 02.08.2013, in Block A of the proposed project "Impulse Enclave" of the respondent company and deposited Rs.14,43,260/- (Rupees Fourteen Lakh Forty-three thousand Two hundred Sixty Only) as an advance through cheque. The total amount of consideration to be paid was Rs.17,52,530/- (Rupees Seventeen Lakh Fifty-two thousand five hundred thirty). The complainant has paid Rs.2,50,000/- (Rupees Two Lakh Fifty thousand) vide cheque no.024851 dated 01.08.2013, Rs.6,93,260/- (Rupees Six Lakh Ninety three thousand two hundred sixty) vide cheque no.024854 dated 10.08.2013, Rs.5,00,000/- (Five Lakh) vide cheque no.024853 dated 10.08.2013, for which money receipt no.915 dated 01.08.2013 was issued. Since no development /construction of project took place, complainant prays for refund of booking amount along with interest on it. He has filed a copy of the MOU dated 02.08.2013, that was entered into with the respondent company.

Perused the records of the case. No reply has been filed by respondent company. However, Mr. Alok Kumar, Managing Director of the respondent company was present on

last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

The Bench notes that the respondent company have themselves withdrawn their application for registration of Project “Impulse Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.

The Authority, therefore, directs the respondent company and their Directors to refund the principal amount of Rs.14,43,260/- 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 or more plus two percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

With these directions, the matter stands disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

R B Sinha
(Member)

Sd/-

Nupur Banerjee
(Member)