

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

**Case No: RERA/CC/916/2021**

**Rita Sinha**

**...Complainant**

**Vs.**

**M/s Agrani Homes Pvt. Ltd. & Ors.**

**...Respondent**

**Project: I.O.B Nagar**

**For Complainant: Mr. Deepak Kumar, Advocate**

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

**21.09.2022**

**ORDER**

This matter was last heard on 23.08.2022

In this matter, the allottee had booked a flat in the project I.O.B Nagar, Block- O, in 2013 and had paid Rs. 12,51,000/-, in lieu of booking of flat-. It has been further submitted that the promoter was supposed to handover the flat by 2015 but the promoter failed to start the construction of flat at the project site and even after request for refund of the paid amount, the respondent has not refunded the same till date, hence, this complaint has been filed, for refund of the paid amount along with interest and compensation for mental harassment.

The allottee has placed on record money receipts, duly issued and acknowledged by the respondent of the alleged amount of Rs.12,51,000, paid by him to respondent in lieu of booking.

Perused the records. No reply has been filed by the respondent. However their representative has been present on the last date of hearing and have not refuted the claim of complainant.

On the last date of hearing, the complainant reiterated his prayer for refund.

The representative of the respondent company has submitted during last hearing that order for refund may be passed.

The Bench also observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, hence, order is being pronounced.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and their Directors to refund the paid consideration i.e. Rs. 12, 51,000/- to the complainant/allottee along with interest at the rate of marginal cost of fund based lending rates (M.C.L.R.) of the State Bank of India as applicable for three years plus five percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant/allottee is at liberty to press claim for compensation before A.O.

With these directions and observations, the matter is disposed of.

**Sd/-**

**Nupur Banerjee**  
**(Member)**

