

REAL ESTATE REGULATORY AUTHORITY, BIHAR
2 nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna -
800023

Before the Double Bench of Hon'ble Chairman, Mr. Naveen Verma, & Hon'ble
Member, Mrs. Nupur Banerjee

Case No.:- RERA/CC/1823/2020

Pradeep KumarComplainant

Vs

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

Project: Agrani PG Town- Block G

22.02.2022

O R D E R

This matter was last heard before Double Bench along with the batch cases on 25.01.2022.

The case of the complainant is that he booked flat no. 505 having area 1300 Sq. Ft on 28-02-2017 for an aggregate consideration of Rs. 20,10,000/- in Project- ‘AGRANI P.G TOWN Block – G. The complainant has paid Rs.14,10,000 till date. Since no work has been done by the respondent till date, the complainant has filed the case seeking relief for refund of the amount paid along with interest.

The complainant has placed on record copy of money receipts of Rs.13,10,000 and cheque of Rs.1,00,000. He has filed KYC for flat no.505,Block – G dated 18.08.2017, Copy of Aadhar card, money receipt no. dated 18.08.2017 for Rs. **10,000/-**, money receipt dated 11.09.2017 for Rs.**3,00,000**, copies of receipt bearing no. 2360 for Rs. **5,00,000/-** issued on 19.08.2017; receipt bearing no. 2359 for Rs. **5,00,000/-** issued on 18.08.2017; copy of cheque bearing no. 155601 for Rs.5,00,000 , copy of cheque bearing no. 155602 for Rs.5,00,000 dated 19.08.2017, and copy of cheque bearing no. 155603 for Rs.1,00,000 dated 27.02.2018.

No rejoinder has been filed by the respondent. On the last date of hearing, Mr. Alok Kumar, MD of the respondent company had given a proposal of alternative plot/flat.

However, the complainant reiterated his request for refund with interest and that he was not interested in the offer given by the respondent.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots without registering the real estate project with RERA for which Suo Motu proceeding be initiated against the respondent company under Section 59 of the Real Estate (Regulation and Development) Act, 2016.

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 14.10 lakhs to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for three years or more from the date of deposit to the date of refund within sixty days of issue of this order.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)