

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Hearing Before the Bench of Hon'ble Chairman, Mr. Naveen Verma,
Hon'ble Member, Mr. R.B. Sinha & Hon'ble Member, Mrs.Nupur Banerjee**

Case No. : RERA/CC/1100/2020

Niraj Kumar.....Complainant

Vs

M/s Agrani Homes Real Marketing Pvt LtdRespondent

Project: Daffodil City

30.09.2021

03.12.2021

Order

This matter was last heard at length on along with batch of cases before the full bench on 09.09.2021

The case of the complainant is that he has booked flat no. 308, Block A, Agrani Daffodils, Mahuabagh, Patna, measuring area of 1000 sq.ft for total consideration of Rs. 27,94,500(Twenty Seven lakh Ninty Four Thousand Five Hundred) and has made payment of Rs.5,11,000(Five Lakh Eleven Thousand). He has submitted the details of payment as follows: Rs. 3,11,000 vide cheque no. SBBJ-157751 dated 30/07/2015 for which money receipt no.382 dated 02/08/2015 was issued and Rs. 2,00,000 vide cheque no. SBI -589655 dated 30.07.2015for which money receipt no.383 dated 02/08/2015 was issued. However, since then there was no progress in the project after initial payment against the flat he requested the respondent company to refund of the amount along with interest on the principal amount. Since the respondent company did not make the refund, the complainant served a legal notice after which he got refund of Rs.1,00,000(One lakh only) on 18.07.2019 and the remaining amount is still due. He has also submitted details of whatsapp messages exchanged with the promoter.

Perused the records. The respondent has not filed any written reply. However, since Mr. Alok Kumar, Managing Director and Mr. Rana Ranveer Singh, Director of the respondent company were both present on the last date of hearing and they have not challenged the contention of the complainant and the facts are being admitted as mentioned in the proceeding of 9.9.2021.

The Bench notes that the application of registration of Project titled name “Daffodils City” has been rejected by the Authority by its letter dated 27.8.2021.

The Authority also notes that on the last date of hearing Mr. Alok Kumar, Managing Director of the respondent Company had requested for time to refund the due amount.

The Authority, therefore, directs the respondent company and their Director to refund the remaining principal amount of Rs. 4,11,000 /- paid by the complainant along with interest calculated on the date of booking at the marginal cost of fund based lending rate (MCLR) of State Bank of India applicable for three years plus one percent to the complainants from the date of deposit to the date of refund within 60 days from the date of order.

The bench notes that an order with a defect in the instant case was inadvertently uploaded on the website of authority on 2-11-2021 and the same was duly removed upon knowledge.

Sd/-
R.B. Sinha
(Member)

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)