

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. CC/1007/2020

Ankit Gupta Complainants

Vs

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

Project: Agrani SBI Nagar

21/06/2022 Order

This matter was last heard on 19-05-2022.

The case of the complainant is that he booked a flat in the project Agrani SBI Nagar and paid a sum of Rs.6,50,000 between August 2015 to October 2015. Memorandum of understanding was executed on 27.02.2016. As no construction work is going on , the complainant has filed the present case seeking relief for refund of the principal amount paid along with 18 % interest and compensation for mental harassment.

The complainant has placed on record copy of money receipts issued by the respondent company against payment of Rs.6,50,000.

Perused the records. No reply has been filed by the respondent. However their representative has been present on some occasions and have not refuted the claim.

On the last date of hearing the complainant submitted that he is not interested in the alternative offer given by respondent. Further he reiterated his prayer for refund.

The Bench notes that the complainant ought to have sent the letter for cancellation of his booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter has been taken up for hearing, orders are being passed.

Having heard the submissions the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.6,50,000/- 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 plus three percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for other claim, which are in the nature of compensation from the respondent company.

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

Sd/-
Naveen Verma
(Chairman)