

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case No. CC/1059/2020**

**Vikas Kumar .....Complainants**

**Vs**

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

**Project: Agrani Prakriti Vihar**

**21/06/2022**

**Order**

This matter was last heard on 19-05-2022

The complainant booked plots (No.412, 425, 426 and 413) in project, Agrani Prakriti Vihar and paid Rs.13,00,000 in different installments from March 2015 to 2019. The respondent promised completion of well-developed plots along with road, park, electricity, sewer and many other amenities. The complainant has alleged that no development work has started till date and also project is not registered with RERA and has filed the matter seeking 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.13,00,000.

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

On the last date of hearing the learned counsel for the complainant submitted that he is not interested in the alternative offer given by respondent and 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 is 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.13,00,000/- 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 or more 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)**