

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Naveen Verma, Chairman

Case No. CC/1105/2020

Poonam Kumari.....Complainant

Vs

Agrani Homes Pvt. Ltd.Respondent

Project: Agrani I.O.C. Nagar

ORDER

30.05.2022

This matter was last heard on 26.04.2022.

The case of the complainant is that her husband (Late Mr. Rajesh) booked flat bearing no.205 in the project “I.O.C Nagar”– Block “C” on 18/03/2017 for a total consideration of Rs.15,00,000 plus taxes against which paid a sum of Rs. 14,34,469/-. A Memorandum of understanding was executed between Late Mr. Rajesh Kumar and respondent on 15.11.2017. Since the respondent has till date not handed over the possession of the said flat the complainant has filed the present case seeking relief for refund of the amount paid along with interest.

The complainant has placed on record a copy of Memorandum of understanding, K.Y.C dated 18/03/2017 Aadhar card and copy of payment receipts.

On the last date of the hearing, Mr. Dinesh Kumar appearing on behalf of complainant, stated that complainant is not interested in the alternative offer as proposed by the respondent and prayed for the refund of the amount paid. The Legal Representative for the respondent agreed, in that event, this case may be posted for order. The bench further directed the complainant to amend the typographical error in the complaint petition within 1 week.

Perused the record. The Bench notes that the complainant has filed the amendment petition as per the direction of the bench. The respondent has not filed any reply.

Having heard the submission of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs 14,34,469/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus one 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 their claims, which are in the nature of compensation from the respondent company.

With these directions , the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)