

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Hon'ble Chairman

RERA/CC/1148/2020

Sita Ram SinghComplainant

Vs.

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

PROJECT : "I.O.B Nagar" Block – "Q"

Order

9.06.2022

This matter was last heard on 05.05.2022.

The case of the complainant is that he booked a flat in the project **I.O.B Nagar, Block – "Q"** for total consideration amount of Rs. 16,00,000/- on 22/11/2017 against which he paid Rs.6,70,000/-. The complainant cancelled the booking on 19.03.2018. After cancellation of booking the respondent refunded Rs.50,000. On 25.11.2019 the complainant sent a legal notice to refund the rest booking amount paid i.e, Rs.6,20,000. Since the respondent has not refunded the remaining paid amount till date the complainant has filed the present case praying for refund of with interest or possession of flat.

The complainant has placed on record, K.Y.C dated 22/11/2017, cancellation application 19.03.2018 and legal notice dated 25.11.2019.

Perused the records. No reply has been filed by the respondent.

During the hearing held on 05.05.2022, the

complainant reiterated his prayer for refund with interest. The respondent submitted that complainant rejected the alternative flat offer made by respondent.

The Authority 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. This matter may be included in the Suo Moto proceeding against the respondent company.

Taking note of the submissions made, the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs. 6,20,000/- 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.

With these directions, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)