

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/1177/2020

Amita Prasad.....Complainant

Vs

Agrani Homes Real Marketing Pvt.Ltd.....Respondent

Project: Agrani S.B.I. Nagar

09.06.2022

ORDER

The matter was last heard on 05.05.2022.

The case of the complainant is that she booked a flat in the project “Agrani SBI Nagar” for total consideration of Rs.12,00,000/- in 2015 against which she paid Rs.3,50,000/- to the respondent. The complainant has alleged that in spite of the memorandum of understanding executed between the parties, no construction work has been started till date and respondent has failed to hand over the possession of the flat. Hence, she filed this case and prayed for a refund of the amount paid along with 18 % interest and also claimed compensation for Rs.5,00,000/- for mental harassment and agony and Rs. 1,00,000/- for litigation cost.

The complainant has placed on record a copy of the memorandum of understanding dated 30.10.2015 between the parties and money receipt of Rs.3,50,000 /- dated 03.04.2015 duly acknowledged by the respondent company.

Perused the records. The Bench notes that the respondent has not filed any reply and hence the claim is being admitted.

The Bench also recalls that the complainant is not

interested in the offer of an alternative flat made by the respondent during the course of the hearing.

After considering the documents filed and submissions made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.3,50,000/- (Three lakhfifty thousand only) to the complainant along with interest at the rate of the marginal cost of fund based lending rates (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.

So far as other claims are concerned, the Bench observes that these are in the nature of compensation. The complainant is at liberty to press these claims before the court of the Adjudicating Officer.

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

Sd/-

Naveen Verma
(Chairman)