

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**Case No.CC/1227/2020**

**Sneha Saurabh ..... Complainant**

**Vs**

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

**Project: Agrani SBI Nagar**

**12/09/2022**

**O R D E R**

Hearing taken up. Both the parties are absent.

This matter was last heard on 17.08.2022. The complainant has filed this matter for refund of the booking amount of Rs. 3.50 lakh with interest for a flat in the project Agrani SBI Nagar. She has stated that MOU was entered into in 2016 and the building was to be completed in five years. She has filed a copy of the MOU in which it is mentioned that Rs. 3,37,756/- and service tax of Rs. 12,244/- has been paid at the time of booking against the total consideration amount of Rs. 12 lakh excluding service tax.

Perused the records. No specific reply has been filed by the respondent. However, in the hearing held on 10.06.2022 learned counsel for the respondent has submitted that an offer of alternative flat in some of the project or plot of land has been given to the complainant.

The complainant has filed written submission stating that she is not interested in the alternative offer and reiterated her request for refund with interest.

The Authority observes that the allottee ought to have sent a letter of cancellation to the promoter and she should have approached the Authority only if there was no response or refund was not given. However, since the matter has been heard and pending since 2020 orders are being passed on the basis of submissions and documents on record.

The Authority takes note that the respondent has not filed any reply to the complaint petition and therefore, despite the fact that this has been heard along with other batch of cases on a number of

occasions, in view of this, the submission made by the complainant is admitted.

The Authority directs the respondent company and its director to refund the amount of Rs. 3.50 lakh along with interest calculated @ MCLR of SBI as applicable for three years or more plus 2% within 60 days of issue of the order.

With the above observations and directions, this petition is disposed of.

Sd/-  
Naveen Verma  
Chairman