

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Hearing Before the Bench of Hon'ble Chairman, Mr. Naveen Verma,
Hon'ble Member, Mr. R.B. Sinha & Hon'ble Member, Mrs. Nupur Banerjee**

Case No. :-RERA/CC/1303/2020

Ashok Kumar Chanchal.....Complainant

Vs

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

Project: Daffodil City

30.09.2021

03.12.2021

Order

This matter was last heard at length along with batch of cases before the full bench on 09.09.2021.

The case of the complainant is that he has booked flat no. 202, in Block "A", of project the Daffodils city measuring area of 1350 Sq.ft for total consideration of Rs. 27,17,000 (Seventy Seven Lakh Seventeen Thousand) against which he has made payment of Rs.23,00,000. The details of payment is as follows: Rs. 5,00,000 vide cheque no. 212913 of Canara Bank dated 16.08.2016 for which money receipt no. 1472 was issued dated 31/08/2016, Rs. 8,00,000 vide cheque no. 006829 of BOI dated 22.07.2016 for which money receipt no. 1372 was issued dated 22/07/2016, Rs.10,00,000 vide cheque no. SBI 705212 dated 20.07.2016 for which money receipt no. 1363 was issued dated 20/07/2016. The apartment was to be handed over in 2018. However, in the absence of approval for the construction work he applied for cancellation of the booking and refund of the amount paid along with interest on it.

Perused the records. The respondent has not filed any written reply. However, since Mr. Alok Kumar, Managing Director and Rana Ranveer Singh, Director of the respondent company were both present on the last date of hearing and they have not challenged the contention of the complainant and the facts are being admitted.

During the hearing on 09.09.2021 the complainant requested for refund with interest.

The Bench notes that the application of registration of Project titled name “Daffodils City” has been rejected by the Authority by its letter dated 27.8.2021.

The Authority also notes that on the last date of hearing Mr. Alok Kumar, Managing Director of the respondent Company had requested for time to refund the due amount.

The Authority directs the respondent company and their Director to refund the principal amount of Rs. 23,00,000 /- along with interest calculated on the date of booking at the marginal cost of fund based lending rate (MCLR) of State Bank of India applicable for three years plus one percent to the complainant from the date of deposit to the date of refund within 60 days from the date of order.

The bench notes that an order with a defect in the instant case was inadvertently uploaded on the website of authority on 3-11-2021 and the same was duly removed upon knowledge.

Sd/-
R.B. Sinha
(Member)

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)