

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/1318/2020

Sharwan Kumar.....Complainant

Vs.

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

Project: - Agrani Prakriti Vihar

ORDER

22.08.2022

The matter was last heard on 29.06.2022.

The case of the complainant is that he booked a plot bearing no: 666 in the project Agrani Prakriti Vihar on 30.09.2016 and paid Rs. 2,45,000/- to the respondent. The respondent has failed to handed over possession of the plot till date nor refund the booking amount. Therefore, this complaint petition has been filed for refund of the paid amount to the respondent along with 18% interest.

The complainant has placed on record a copy of the money receipt dated 28.01.2019 for Rs.20,000/-, 10.11.2018 for Rs.20,000/-, 15.10.2018 for Rs.35,000/-, 30.06.2018 for Rs.20,000/-, 28.02.2018 for Rs.20,000/-, 24.10.2017 for Rs.20,000/-, 20.07.2017 for Rs.20,000/-, 09.06.2017 for Rs.20,000/-, 16.05.2017 for Rs.20,000/-, 30.09.2016 for Rs.50,000/-duly issued by the respondent company against payment and a copy of KYC.

Perused the records. No reply has been filed by the respondent. The representative for the respondent was present on the last date of the hearing and has not challenged the contention of the complainant but instead submitted that the latter is not interested in any alternate offer.

On 01.06.2022 the complainant has filed supplementary affidavit and reiterated his prayer.

Despite the last direction of the Bench the complainant has not filed a copy cancellation letter sent by him to the respondent.

The Authority ought to be approached only after the promoter fails to respond to such communication. As the matter has been heard in the Authority, orders are being passed in the instant matter.

Having heard the submissions, the Bench hereby directs the respondent company and its directors to refund the principal amount of Rs.2,45,000/- (Rupees Two Lakh Forty Thousand only) to the complainant along with interest at the rate of

marginal cost of fund based lending rate (MCLR) of State Bank of India as applicable for three years plus two 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)