

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/1345/2020

Radhika Devi and Baliram MahtoComplainants

Vs

Agrani Homes Pvt. Ltd.....Respondent.

Project: Agrani Royal City, Shivala.

ORDER

04.07.2022

The matter was last heard on 30.05.2022.

The case of the complainants is that they booked a flat in the project Agrani Royal City, Shivala and paid Rs.15,47,940 between 2013 to 2015. Memorandum of understanding was executed on 16.07.2013 between the parties. As the respondent failed to hand over the possession within stipulated time period, the allottee has filed the present case seeking refund of the principal amount paid along with 20% interest.

The complainant has placed on record copy of K.Y.C, M.O.U dated 16.07.2013 and money receipts issued by the respondent company against payment of Rs. 15,47,940.

Perused the records. No reply has been filed by the respondent. However, their representative has been present in the proceedings and have not refuted the claim. During hearing, the promoter proposed an alternate offer.

On the last date of hearing the complainants reiterated their prayer and submitted that they were not interested in any offer proposed by the respondent and requested for the refund with interest.

The Bench notes that the complainants ought to have sent the letter for cancellation of their booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter has been taken up for hearing, orders are being passed.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 15,47,940/- 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 or more plus five percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)