

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. CC/1355/2020

Uma Kumari and Anubha.....Complainants

Vs

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

Project: Agrani SBI Nagar

22/06/2022

Order

This matter was last heard on 20-05-2022.

The case of the complainants is that they separately booked two flats bearing no. 404 and 406 in the project Agrani SBI Nagar and paid a total amount of Rs.20,00,000/- . Memorandum of understanding was executed on 16.08.2016 for a total consideration of Rs 24 lakhs for these two apartments. As no construction work was going on, the complainants filed the present case seeking relief for refund of the principal amount paid along with 18 % interest.

The complainants have placed on record copy of Memorandum of understanding and money receipts issued by the respondent company against payment of Rs.20,00,000.

Perused the records. No reply has been filed by the respondent. However their representative has been present on some occasions and have not refuted the claim.

On the last date of hearing the complainants submitted that they were not interested in the alternative offer given by respondent and reiterated their prayer for refund.

The Bench notes that the complainants ought to have sent the letter for cancellation of his 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 the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.20,00,000/- to the complainants 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 and observations, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)