

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Double Bench of Mr. Naveen Verma, Chairman
& Mrs. Nupur Banerjee, Member

Case No. CC/1515/2020

Satyendra Kumar

....Complainant

Vs

M/s Agrani Homes Pvt Ltd

...Respondent

Project: IOB Nagar Block S

ORDER

05-05-2022

The matter was posted on order on 13.04.2022. However, due to other preoccupation, the Bench did not sit on that date and orders could not be passed.

The case of the complainant is that he had booked a 3 BHK flat having an area of 1300 Sq. Ft. (approx.) in the project IOB Nagar Block- S for a total consideration of Rs.17,00,000 against which he had paid Rs.15,00,000. He further submitted that till date neither the flat has been handed over to him nor any work is in progress at the project site. He further submitted that on several occasions, he tried to communicate with the builder personally as well as over telephone but no response has been received from their sides, hence, he has filed the instant complaint for refund of the principal amount with interest.

The complainant has placed on record copy of memorandum of understanding dated 18.06.2015, money receipts dated 27-01-2015 for Rs.9,84,550/- & dated 12-01-2015 for Rs.5,15,450/-, totaling to Rs.15,00,000/- , a letter dated 13-05-2017 and an account statement of HDFC Bank for the period between 01-01-2015 to 11-06-2015.

On 23-02-2022, the respondent has filed reply stating therein that an offer has been made to complainant for piece of land of equivalent value proportionate to the money deposit by the complainant. The learned counsel for the respondent submitted during last hearing that 2 offers have been proposed to the complainant.

However, the complainant stated that he was not interested in the offers proposed and reiterated his prayer for refund of deposited money with interest.

After considering the documents filed and submissions made, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs. 15,00,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus two per cent from the date of taking the booking within sixty days of issue of this order.

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)