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

## Case Nos. RERA/CC/1759/2020

**Geeta Choudhary** 

...Complainant

M/s Agrani Homes Pvt. Ltd.

...Respondent

**Project: - IOB Nagar Block - M** 

Vs.

## ORDER

**02.08.2022** The matter was last heard on 31.05.2022

The case of the complainant is that she booked a flat admeasuring 1300sqft in the project IOB Nagar Block M in September, 2014. The complainant has paid a consideration of Rs. 16,49,440/- to the respondent but the respondent failed to handover the flat. The complainant has filed the complaint case for refund of paid consideration with interest.

The complainant has placed on record copy of KYC, M.O.U. dated 23-02-2015 and money receipts with supporting cheques.

Perused the record. The respondent has not filed reply.

On the hearing dated 24/02/2022, the respondent submitted that the complainant is not interested in any alternate offer.

On several occasions the complainant failed to appear before the Bench. The Bench observes that there is no merit in keeping the matter pending, so, orders are being passed on the basis of documents available on record. The Bench observes that the complainant has not sent any letter for cancellation of his booking to the promoter. The complainant ought to have sent a cancellation letter to the respondent and there after approached the Authority only if the promoter had failed to respond to such request. However, since the matter was taken up for hearing, orders are being passed.

After considering the documents filed and submission made by the respondent, the Bench hereby directs the respondent and its Directors to refund the paid consideration of Rs. 16,49,440/- 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 4% from the date of taking the booking to 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)