

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

RERA/CC/183/2021

Manmohan Kumar Verma

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: - 'I.O.B NAGAR' Phase III

ORDER

11.08.2022

The matter was last heard on 23.06.2022

The case of the complainant is that he had booked a flat in the project 'I.O.B NAGAR' Phase III for which he had paid Rs.15,54,374/- to the respondent in 2016. Memorandum Of Understanding was executed in 2016. Even after lapse of 5 years the construction has not started. Hence, the complainants have filed the present case seeking for refund of paid consideration along with interest and compensation.

The complainant has placed on record a copy of M.O.U issued by the respondent.

On the last date of hearing held on 23.06.2022 the learned counsel for the complainant submitted he paid Rs.15,54,374/- in two instalments on 18/03/2016 and 18/05/2016 for a 3 BHK flat and reiterated his demand for refund with interest and compensation as he is not interested in any offer of alternative flat or plot.

Perused the record. No reply has been filed by the respondent.

The Bench notes that despite specific direction to the respondent has not filed his reply. Hence, the Bench concludes that

the complainant is not interested in the offer and the amount indicated in the complaint petition is admitted.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs. 15,54,374/- 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 percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for their claims, which are in the nature of compensation from the respondent company.

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

Sd/-
Naveen Verma
(Chairman)