

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Double Bench of Mr Naveen Verma, Chairman,
& Mrs Nupur Banjerjee, Members**

Case No. RERA/CC/213/2021

Manoj Kumar JhaComplainant

Vs

M/s Agrani Homes Real Construction Pvt. Ltd.....Respondent

Project: Agrani Crystal

**Present: For Complainant: None
For Respondent: Mr. Satwik Singh, L.R.**

HEARING THROUGH PHYSICAL MODE

12/05/2022

ORDER

17/05/2022

This matter is taken up today. The complainant is absent. The Legal Representative of the respondent company is present.

The Authority observes that that the complainant, who was present on 4.2.2022, had submitted that against 7 lacs paid to the respondent, Rs.1 lac has been refunded to him and had requested for refund of the remaining amount. The M.D. of the company, who was present on that date, had sought time. However, no reply has been filed as yet.

The Legal Representative of the respondent company submits that the remaining amount of Rs.6 lacs would be refunded to the complainant.

However, on perusal of the application it is apparent that the complainant had paid an amount of Rs.6,98,625/- against which Rs. 1 lac has been refunded and therefore, he has requested for refund of balance amount of Rs.5,98,625/-.

Taking note of the submissions of both the parties, the Authority directs that the outstanding amount of Rs.5,98,625/- be refunded to the complainant by the respondent company and its Directors along with interest accrued @ MCLR as applicable for three years or more plus 3% within 60 days of the issue of the order.

This case is disposed of accordingly.

Miscellaneous application filed on behalf of Agrani Group of Companies before the Double Bench on 12.5.2022

Mr. Satwik Singh, Legal Representative, has filed a petition today signed by Preeti Kumari, wife of Sanjay Kumar Jha, who is an allottee in the project Agrani Heights, wherein she has stated that due to general ban passed by the Authority in batch cases (Suman Singh vs. Agrani Heights) on 10.02.2021 the promoter is not able to execute the deed of conveyance. He submits that Preeti Kumari has not filed any complaint case before the Authority. He further submits that no allottee has filed any case pertaining to the project Agrani Heights, which was completed much earlier. He submits that if a specific direction is given to the Sub Registrar to execute the sale deed, then the promoter is likely to obtain Rs. 7-8 lakhs from the project Agrani Heights which can then be disbursed to allottees of other projects.

The Authority took note of his submissions and directs that necessary communication may be sent to the District Sub Registrar to execute the sale deed in respect of all matters pertaining to the project Agrani Heights. The respondent company will ensure that the entire balance consideration amount which they will collect from the allottee, would be deposited in the Authority by way of Demand Draft in favour of RERA. In the present matter since a Demand Draft of Rs.1 lakh is being submitted, letter may be sent to the Sub Registrar, subject to receipt of the original Demand Draft.

Let a copy of the order be sent to the Legal Cell/ Accounts Section for compliance.

The Authority also directs that such amount which would be collected, if they do not pertain to any project where no complaint case has been filed, would be available for distribution to general complainants in the same manner as was done earlier. It notes that complainants whose case numbers were till C.C.402 had received some amount against their dues from such deposits made by or on behalf of the promoter.

The list of all such payments made by the Authority on behalf of the promoter from the money deposited by them would be sent to the promoter with a copy of the concerned case record so that the actual picture of outstanding principal amount to be paid is available at the time of passing of the orders.

Let a copy of this direction be posted in the general notice section of the website of RERA Bihar and also on the physical notice boards of both the offices.

Sd/-

Nupur Banerjee
Member

Sd/-

Naveen Verma
Chairman