

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

Case Nos. RERA/CC/229/2019

Binod Kumar Singh

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: - IOB Nagar

ORDER

17.08.2022

The matter was last heard on 29.06.2022

The case of the complainant is that he booked a flat measuring 1300 sq.ft in the project IOB Nagar Block - P in 2013. The agreement for sale was executed on 31/03/2014. The complainant has paid Rs. 15,50,000/-. The complainant requests for refund with interest and compensation.

The complainant has placed on record copy of M.O.U dated 31/03/2014, money receipts and KYC dated 23/12/2013.

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

On the last date of hearing, the representative of the respondent had submitted that alternate offer has been proposed to the complainant in the PG-1.

The Bench notes that the respondent has not filed reply/document to show the interest of the complainant in any alternate flat.

The Bench observes that the allottee has not sent any communication to the promoter regarding the cancellation of his

booking with the respondent. The Authority ought to be approached only after the promoter had failed to respond to such communication. However, since the matter has already been heard orders are being pronounced.

After considering the documents filed by the complainant, the Bench hereby directs the respondent and its Directors to refund Rs. 15,50,000/- 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 four percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

So far as the claim for compensation is concerned the complainant is at liberty to press his claim before the court of Adjudicating Officer.

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

Sd/-
Naveen Verma
(Chairman)