

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

Case No. RERA/CC/260/2021

Tarkeshwar Prasad.....Complainant

Vs.

Agrani Homes Pvt. Ltd.....Respondent

Project: - Agrani Royal City Shivala

ORDER

10.08.2022

The matter was last heard on 22.06.2022.

The case of the complainant is that he had booked a flat in the project and he paid Rs. 6,18,540/- to the respondent in 2014. The memorandum of understanding was executed between the parties on 09.03.2014. He alleged that he visited the project site on several occasions and found no construction work has been started by the respondent, and then sent a letter to the respondent for the cancellation of the flat in 2019. Thereafter he sent a legal notice to the respondent for a refund of the amount paid in 2020. The complainant has filed this case seeking relief for a refund of paid consideration along with 18% interest.

The complainant has placed on record a copy of the money receipt for the amount paid duly acknowledged by the respondent company and a copy of a memorandum of understanding executed between the parties dated 09.03.2014, a copy of the legal notice sent to the respondent and a copy of cancellation letter.

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

On the last date of hearing the learned counsel of the complainant submitted that the representative of the respondent has not offered any specific plot in Parmanandpur, Sonpur . The complainant is not interested in any offer proposed by the respondent and reiterates her demand for refund of amount along with the interest.

The Bench notes that the complainant had sent the letter for cancellation of his booking but since the

respondent failed to refund the amount paid by the complainant this matter was filed.

The Bench recalls that due to non-compliance with its order a penalty of Rs.1000/- (Rupees One Thousand Only) had been imposed. The respondent is directed to pay the penalty within a fortnight.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and its Directors to refund the paid consideration of Rs. 6,18,540/- (Rupees Six Lakhs Eighteen Thousand Five Hundred forty) to the complainant along with interest at the rate of marginal cost of fund based lending rates (M.C.L.R.) of the State Bank of India as applicable for three years plus four percent from the date of taking the booking till 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)**