

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

Case No. RERA/CC/28/2021

Sushma Rani.....Complainant

Vs.

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

Project: - Agrani Prakriti Vihar

ORDER

08.08.2022

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18.08.2022

The matter was last heard on 13.06.2022.

The case of the complainant is that she booked a plot bearing no: 423 in the project Agrani Prakriti Vihar in 2016 and paid Rs. 2,40,000/- to the respondent. The respondent has failed to handed over possession of the plot till date. Therefore, this complaint petition has been filed for refund of the paid amount to the respondent along with interest.

The complainant has placed on record a copy of the money receipt dated 02.04.2016 for Rs.50,000/-, dated 02.06.2016 for Rs. 60,000/-, dated 21.01.2017 for Rs. 60,000/- and dated 30.08.2017 for Rs. 70,000/- duly issued by the respondent company against payment and a copy of KYC.

Perused the records. No reply has been filed by the respondent. The representative for the respondent was present on the last date of the hearing and submitted that if the complainant pays the entire consideration amount, then possession of the plot will be handed over to her.

However, the complainant insisted for refund and submitted that the cancellation letter has been sent to the respondent company.

Despite the last direction of the Bench the complainant has not filed a copy cancellation letter sent by her to the respondent.

The Authority ought to be approached only after the promoter fails to respond to such communication. As the matter has been heard in the Authority, orders are being passed in the instant matter.

Having heard the submissions, the Bench hereby directs the respondent company and its directors to refund the principal amount of Rs.2,40,000/- (Rupees Two Lakh Forty Thousand only) to the complainant along with interest at the rate of marginal cost of fund based lending rate (MCLR) of State Bank

of India as applicable for three years plus two percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions, the matter is disposed of.

**Sd/-
Naveen Verma
(Chairman)**