

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Bench of Mr. Naveen Verma, Chairman**

**RERA/CC/287/2019**

**Manish Kumar**

**.....Complainant**

**Vs**

**M/s Agrani Homes Pvt. Ltd.**

**.....Respondent**

**Project: IOB Nagar Block-M**

**19.09.2022**

**ORDER**

The matter was last heard on 25-08-2022.

The case of the complainant is that on 09/03/2016 he booked a flat and paid Rs. 15,84,437/- to the respondent but the respondent failed to start the construction of the project. He requests for refund with 24% interest and a compensation of Rs. 5,00,000/- for mental and physical harassment.

The complainant has placed on record KYC, a letter sent to the respondent to transfer the booking from IOB phase III to IOB Nagar block M, a letter to cancel the booking, money receipts, M.O.U. for sale of the flat.

Perused the record. The complainant has filed a petition requesting for refund of remaining paid consideration amount. The respondent has not filed reply.

On the last date of hearing the complainant submitted that he has got a refund of Rs. 7,50,000/- and Rs. 8,34,437/- is still pending to be refunded with interest by the respondent.

The Authority notes that Rs. 2,50,000/- was refunded by respondent and Rs. 5,00,000/- was refunded through RERA, Bihar. The Authority also notes that on several occasion the representative of the respondent was present and he has not challenged the relief of the complainant.

The Authority recalls that it had also imposed a token penalty of Rs. 10,000/-. It directs the respondent to deposit this amount with the Authority immediately, and not later than

two weeks, failing which action for recovering the same as arrear of land revenue as provided in Section 40(1) of the Real Estate (Regulation and Development) Act, 2016 read with Rule 25 of the Bihar RERA Rules, 2017 shall be taken.

Having heard the submission of both the parties and considering the documents filed the Authority hereby directs the respondent company and its Directors to refund the remaining paid consideration i.e. Rs. 8,34,437/- to the complainant along with interest on the total paid consideration at the rate of marginal cost of fund-based lending rates (MCLR) of State Bank of India as applicable for three years plus 2% percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press the claim for compensation before the Adjudication Officer.

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

**Sd/-**  
**Naveen Verma**  
**Chairman**