

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. CC/289/2021

Priyanka Singh and Ajay Kumar.....Complainants

Vs

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

Project: Agrani SBI Nagar

30/06/2022

ORDER

This matter was last heard on 25.05.2022

The case of the complainants is that they booked a flat in the project Agrani SBI Nagar and paid Rs.3,50,000 as booking amount in 2015 and subsequently paid another Rs. 3,00,000 in 2018. Memorandum of understanding was executed in 2017. The complainants alleged that the respondent has failed to handover the possession of the flat and hence, they have filed the present case seeking refund of the principal amount paid along with 18 % interest.

The complainant has placed on record a copy of M.O.U, money receipts issued by the respondent company against payment of Rs.6,50,000 and a copy of refund application dated 22.02.2020.

Perused the records. No reply has been filed by the respondent. However, their representative has been present and have not refuted the claim. During hearing, the promoter proposed an alternate offer.

On the last date of hearing the learned counsel of the complainant submitted that complainant was not interested in any offer proposed by the respondent and requests for the refund with interest.

The Bench notes that the complainants ought to have sent the letter for cancellation of their booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter has been taken up for hearing, orders are being passed.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.6,50,000/- (Rupees Six Lakh Fifty 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 and observations, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)