

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

Case Nos. RERA/CC/458/2019

Seema Singh **...Complainant**
Vs.
M/s Agrani Homes Pvt. Ltd. **...Respondent**

Project: - IOB Nagar Block Q

ORDER

18.08.2022 The matter was last heard on 29.06.2022.

The case of the complainant is that she had booked a flat in the project IOB Nagar, Block Q in 2018 by making a payment of Rs. 4,00,000/-. She stated that as the respondent failed to execute the agreement to sale start construction the project, she filed the complaint for possession and compensation.

The complainant has placed on record copy of KYC, money receipts, cancellation letter dated 09/02/2019.

On the last date of hearing, the complainant requested for refund of paid consideration along with interest.

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

The representative of the respondent, who was present during hearing, did not challenge the submission of the complainant and submitted that as the complainant is not interested in any offer proposed by them, the matter may be posted for order.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously booking, selling apartments without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

After considering the documents filed and submissions made, the Bench hereby directs the respondent and its Directors to refund Rs. 4,00,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years from the date of taking the booking to the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer for her claim for compensation from the respondent company.

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

Sd/-
Naveen Verma
(Chairman)