

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman
Case Nos. RERA/CC/528/2021

Prashant Narayan Upadhyay ...Complainant
Vs.

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

Project: - Agrani BOB City

ORDER

13.06.2022 The matter was last heard on 06.05.2022

The case of the complainant is that he booked Flat No. 403 admeasuring 1630sqft in the project in 2015. The complainant has paid Rs. 2,00,000/- out of the total consideration of Rs. 11,38,500/-. The complainant has stated that the respondent failed to start the construction of the project so, he approached the respondent for refund of paid consideration of Rs. 2,00,000/- . As the respondent failed to refund the paid consideration till date, the complaint case has been filed for refund of paid consideration with 18% interest.

The complainant has placed on record money receipt dated 14/08/2015 and KYC dated 14/08/2015.

On last date of hearing dated 06/05/2022, the learned counsel for the complainant reiterated the request for refund. The L.R. of the respondent has not challenged the submission of the learned counsel for complainant.

The Bench notes that the complainant has mentioned that they have requested for refund. He ought to have sent the letter for cancellation of his booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter was taken up for hearing, orders are being passed.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent and their Directors to refund the paid consideration of Rs 2,00,000/- 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 plus three percent from the date of taking the booking to 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)