

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/547/2021

Rakesh KumarComplainant

Vs

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

Project: Agrani Royal City

ORDER

11.08.2022

The matter was last heard on 23.06.2022.

The case of the complainant is that he booked a flat in the project Agrani Royal City, Shivala and paid Rs. 6,18,540/- in 2013 and Memorandum of Understanding was executed on 01.12.2013 between the parties. The respondent failed to construct the project, so, the complainant cancelled the booking in 2020. The complainant has filed the present case for refund of the paid consideration along with 20% interest.

The complainant has placed on record copy of K.Y.C, M.O.U dated 16.07.2013 and money receipts issued by the respondent company against payment of Rs. 6,18,540/-.

Perused the record. No reply has been filed by the respondent. However, their representative was present in the proceedings and had not refuted the claim.

During hearing, the promoter proposed an offer of alternative plot/flat in some other project.

On the last date of hearing the complainant reiterated his prayer and submitted that he is not interested in any offer proposed by the respondent and requested for the refund with interest.

The Bench recalls that due to non-compliance with its order a penalty of Rs.1000/- (Rupees One Thousand Only) had been imposed. The respondent is directed to pay the penalty within a fortnight.

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. 6,18,540/- 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 or more plus five 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)