

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

Case Nos. RERA/CC/652/2021

Jyoti Kumari

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: - Agrani SBI Nagar

ORDER

12.09.2022

The matter was last heard on 17.08.2022

The case of the complainant is that she booked a flat in the project Agrani SBI Nagar in 2015. The complainant has paid Rs. 6,50,000/- and the agreement for sale was executed on 31/03/2014. The complainant has filed this matter for refund with interest.

The complainant has placed on record copy of MOU dated 30/10/2015, money receipt, application form and cheque.

Perused the record. The respondent had filed a reply stating therein that alternate offer was proposed but the response is awaited.

On the last date of hearing, the complainant reiterated her request in the complaint petition and submitted that she is not interested in any alternate offer proposed by the respondent.

The Authority observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, orders are being pronounced.

After considering the documents filed and submission made by the complainant, the Bench hereby directs the respondent and its Directors to refund Rs. 6,50,000 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 four 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)