

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No.CC/658/2021

Nidhi Sinha

.....Complainant

Vs

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

Project: Agrani Prakriti Vihar

10/06/2022

Order

Hearing taken up. Mr. Aryan Sinha, Advocate for the complainant is present. Mr. Satwik, L.R. for respondent is present.

The learned counsel for the complainant submits that the complainant has paid Rs. 11,00,000/- for plot no. 667 in 2016. He requests for refund with interest. He further requests for liberty to file a fresh application before the Adjudicating Officer for compensation.

Perused the record. The complainant has filed M.O.U. dated 04/11/2016 executed between both the parties and money receipts with supporting cheques.

The L.R. for the respondent submits that the complainants are not interested in their offer of possession. He has not challenged the submission of the learned counsel for the complainant.

The Bench notes that the complainant requests 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 is 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.11,00,000/- 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 two percent 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 under relevant sections of the Act for their claims, which are in the nature of compensation from the respondent company.

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

**Sd/-
Naveen Verma
Chairman**