

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**

**Before the Single Bench of Mrs. Nupur Banerjee**

**Case No. RERA/CC/774/2021**

**Madhukar Anand**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: - Prakriti Vihar**

**ORDER**

**01.08.2022**

The matter was last heard on 20.07.2022.

The case of the complainant is that he had booked plot bearing no. 661, admeasuring 2200 sq. ft. in the project Prakriti Vihar. The complainant has stated that he has paid Rs. 3,10,000/- to the respondent out of total consideration of Rs.8,25,000/- but since they have failed to hand over the plot, this complaint case has been filed for refund of paid consideration with interest.

The complainant has placed on record money receipts and KYC, duly acknowledge and issued by the respondent company.

Perused the record. The respondent has not filed any specific reply and even not appeared during the course of hearing despite notices and summon issued, hence, ex-parte order is being pronounced.

On the last date of hearing, the complainant reiterated his prayer for refund.

No one appears on behalf of the respondent despite issues of notices and summon and for which a penalty of Rs.10,000/- was levied upon the respondent on the last date of hearing and respondent is directed to submit the levied penalty amount, failing which it can be recovered as per section 40(2)

of the Real Estate (Regulation & Development) Act, 2016, read with Order 21, Rule 30 of the Code of Civil Procedure, 1908.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and their Directors to refund the paid consideration i.e. Rs. 3,10,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (M.C.L.R.) of the State Bank of India as applicable for three years plus two 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/-**  
**Nupur Banerjee**  
**(Member)**