

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Mrs. Nupur Banerjee, Hon'ble Member

Case No. CC/784/2021,

Anand Kumar Dutta.....Complainant
Vs.

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

PROJECT: - PG Town, Block-D

ORDER

01-08-2022 This matter was last heard on 20-01-2022.

The case of the complainant is that complainant had booked a Flat, bearing Flat No.108, in Block-D, in Agrani PG Town at Sarari, Danapur in 2018 and had paid Rs.18.50 lakh, total consideration amount of the flat. They further submitted that respondent has assured to hand over the flat by 2021 but they failed to hand over the same and the project was also not got approval for registration from RERA. It has been further submitted that after several approaches to respondent for the refund of the amount paid, when he had not received any response from respondent, he filed this complainant seeking relief for the refund of the deposited amount with interest.

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

Perused the records. No reply has been filed by the respondent. However their representative has been present on the last date of hearing and have not refuted the claim.

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

Mr. Satwik Singh, Legal Representative, who joins proceeding late, submitted that they will give offer for the plot which the complainant denied and submits he wants refund only.

The Bench observes that the application of registration of Project “PG Town” has been rejected by the Authority by order dated 02.09.2021.

The Authority notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

After considering the documents filed and submissions made, the Bench hereby directs the Respondent Company and their Directors to refund the principal amount of Rs.18.50 lakh (Eighteen Lakh Fifty Thosand) 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 two years plus two percent from the date of taking the booking within sixty days of issue of this order.

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

Sd/-

Nupur Banerjee
(Member)