

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

**Case No. RERA/CC/904/2020**

**Mithilesh Kumar.....Complainant**

**Vs.**

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

**Project: - I.O.B Nagar Phase-III**

**ORDER**

**10.08.2022**

The matter was last heard on 22.06.2022.

The case of the complainant is that he had booked a flat in the project and paid Rs. 3,00,000/- to the respondent in November 2015. The respondent had assured to handover the possession of the flat at the end of the year 2018. The complainant had visited the site of the project several times and found no construction work has been started on site and hence he sent a letter to the respondent seeking the refund of the booking amount with interest on 12.10.2019, but the respondent has failed to refund the amount till date. Hence, the present complaint case has been filed seeking relief for a refund of paid consideration with interest.

The complainant has placed on record a copy of the money receipt for the amount paid duly acknowledged by the respondent company and a copy of the cancellation letter of the booking of the flat.

Perused the records. No reply has been filed by the respondent.

On the last date of hearing the complainant submitted that he is not interested in any alternative offer of the respondent and requested for refund of the amount paid along with interest.

During the course of the hearing, the Bench imposed the penalty of Rs. 5,000/- (Rupees Five Thousand Only) for non-compliance with the order of the Bench to file a reply and non-appearance before the court. The respondent is directed to pay the penalty with the Authority within a fortnight.

The Bench notes that the complainant has sent the letter for cancellation of his booking to the respondent and

then approached the Authority only after the promoter had failed to respond to such request.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and its Directors to refund the paid consideration of Rs. 3,00,000/- ( Rupees Three Lakhs) 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 three 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)**