

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No. CC/934/2020

Prita Kumari..... Complainants

Vs

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

Project: Agrani SBI Nagar

21/06/2022

Order

This matter was last heard on 19-05-2022

The case of the complainant is that she booked a flat in the project Agrani SBI Nagar and paid a sum of Rs.6,50,000. Memorandum of understanding was executed in 2015. As no construction work was going on and it also appeared that the respondent has misappropriated the fund, the allottee has filed the present case seeking refund of the principal amount paid along with 18 % interest and compensation for mental harassment.

The complainant has placed on record copy of money receipts issued by the respondent company against payment of Rs.6,50,000.

Perused the records. No reply has been filed by the respondent. However their representative has been present and have not refuted the claim. During hearing, the promoter gave an offer of alternative plot in the project Prakriti Vihar of the Agrani Group.

On the last date of hearing the complainant submitted that she has visited the plot and was not interested in the alternative offer given by respondent.

The Bench notes that the complainant ought to have sent the letter for cancellation of her booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter has been taken up for hearing, orders are being passed.

Having heard the submissions of both the parties the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.6,50,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rate (MCLR) of 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.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for other claim, 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)