

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Mr. Naveen Verma, Chairman**

**Case No. CC/937/2020**

**Archana Jha .....Complainant**

**Vs**

**Agrani Homes Pvt. Ltd. ....Respondent**

**Project: IOB Nagar- “M” Block**

**ORDER**

**30.05.2022**

This matter was last heard on 26.04.2022.

The case of the complainant is that she booked a flat bearing no.107 admeasuring 1300sq.ft in the project “I.O.B Nagar”– Block “M” for a total consideration of Rs.16,50,000 and paid a sum of Rs. 14,00,000/- in 2014. Memorandum of understanding was executed on 23.05.2014. Since the respondent has till date not handed over the possession of the said flat the complainant has filed the present case seeking relief for refund of the amount paid along with interest.

The complainant has placed on record a copy of M.O.U, Aadhar card, money receipt issued by the respondent company against payment of Rs. 14,00,000 /-.

The respondent gave an offer of a plot in village Parmanandpur of an equal valuation.

During hearing , while initially the learned counsel for the complainant expressed his willingness that he is interested in plot only if handed over in time bound but subsequently he submitted that the complainant is not willing to accept the alternative offer as proposed by the respondent and prayed for the refund of the amount paid. The Legal Representative for the respondent agreed, in that event, this case may be posted for order.

Perused the record. The Bench notes that the respondent has not filed any reply.

Having heard the submission of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs 14,00,000/- 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 four 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 their claims, which are in the nature of compensation from the respondent company.

With these directions , the matter is disposed of.

Sd/-  
**Naveen Verma**  
**(Chairman)**