

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mrs. Nupur Banerjee, Members

Case No. RERA/CC/982/2021

Kusum Kumari....Complainant

Vs

Agrani Homes Real Marketing Pvt. LtdRespondent

Project: Agrani S.B.I. Nagar

07.06.2022

ORDER

The matter was last heard on 23.05.2022.

The case of the complainant is that she booked a 3 BHK flat in the project “Agrani SBI Nagar” for total consideration of Rs.12,00,000/- in 2015 against which he had paid Rs.6,00,000 /- via cheques to the respondent. Since till date, there is no development at the project site and the respondent has failed to handover the possession of the flat, therefore, he filed present case seeking relief for refund of the deposited amount along with interest.

The complainant has placed on record a copy of the MOU signed between the parties and money receipt of Rs.6,00,000/- duly acknowledged by the respondent company.

Perused the records. The Bench notes that the respondent has not filed any reply. However, Mr. Alok Kumar, Managing Director of the respondent company was present during the course of hearing on 07-12-2021 and has not challenged the submission of the complainant and the facts are being admitted.

During the course of hearing on 07-12-2021, the

complainant had submitted that she had booked a 3 BHK flat in Agrani SBI Nagar project and paid amount of RS.6 lakh but no development has been taken places till now and requested for the refund with interest.

Mr. Alok Kumar, MD of respondent company has prayed for time to file reply with respect to payment schedule during the course of hearing on 07-12-2021.

The Bench notes that the respondent has not filed any reply and has not complied with the direction given on 07.12.2021.

During the last hearing on 23-05-2022, the complainant has reiterated his prayer for refund with interest.

No one has appeared on the behalf of the respondent company.

After considering that the booking has been made by the complainant in 2015 and till date the project has not been developed by the respondent and in the light documents filed and submissions made, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs. 6,00,000/-to thecomplainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bankof India as applicable for three years plus three 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.

Nupur Banerjee
(Member)