

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

RERA/CC/995/2020

Uma Pandey.....Complainant

Vs.

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

PROJECT: “Agrani IOB Nagar PG 2”

ORDER

24-08-2022

This matter was last heard on 30.06.2022.

The case of the complainant is that he booked a flat measuring 1626 sqft in the project IOB Nagar PG 2, against which he paid Rs. 21,15,000/- in 2018. The respondent has failed to construct the project and hence, the complainant has filed the present case praying for refund of the paid consideration along with 18% compound interest.

The complainant has placed on record copy of MOU dated 18/04/2018, money receipts, KYC, cheques and application form for booking.

Perused the record. The respondent has not filed a reply.

During the course of last hearing the respondent was requested to file reply within three weeks stating therein the response of complainant to the alternate offer to be given by them.

The Authority notes that the respondent has failed to comply the last direction. Hence, order is being passed on the basis of documents filed and relief sought by the complainant.

The Authority notes that the promoter has apparently violated section 3 of the RERA Act, 2016 and directs that a suo motu proceeding under Section 59 of the Act be initiated against them.

The Authority observes that the complainant has not sent any letter for cancellation of his booking to the promoter. The complainant ought to have sent a cancellation letter to the respondent and there after approached the Authority only if the promoter had failed to respond to such request. However, since the matter was taken up for hearing, orders are being passed.

After considering the documents filed and submissions made by both the parties, the Authority hereby directs the respondent and its Directors to refund Rs. 21,15,000/- 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 from the date of taking the booking to the date of refund within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)