

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mrs. Nupur Banerjee, Member**

**Case No: RERA/CC/18/2021**

**Poonam Devi & Preeti Chandra** **...Complainant**

**Vs.**

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

**Project: Royal City at Shivalaya, Danapur**

**23/02/2023**

**ORDER**

In this matter, on 20.03.2014 the complainant has booked a flat of 3 BHK under one-time scheme for an area of 1300 sq.ft. of the proposed project situated at Shivalaya, Danapur and against the total consideration of Rs.9,27,810/- she has paid Rs.3,09,270/- which includes service tax. At the time of booking it was promised that the construction will be completed within 36 months from the date of signing of MOU dated 20.04.2014 but even after lapse of more than six years, the respondent has failed to deliver the flat. It is also stated that at present the rate of the flat is Rs.5000/- per sq.ft., therefore direction may be given to the respondent to pay the principal amount with statutory interest and compensation at the present rate.

The complainant has placed on record the copy of the MOU, the money receipts and KYC.

A supplementary affidavit has been filed on behalf of the complainant for correction in the amount paid in which it is stated that due to typographical error it was wrongly mentioned that the complainant has paid Rs.3,09,270/- but in fact the complainant has paid Rs.6,18,540/-.

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

On the last date of hearing the complainant reiterated her prayer for refund with interest and compensation.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench so, order is being passed on the basis of documents available on record.

In the light of the documents placed on record and submission made and considering that the respondent has taken the economic benefit of the consideration amount paid by the complainant in lieu of booking of the alleged flat, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.6,18,540/- 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 6% interest from the date of taking booking till the date of refund within sixty days of issue of this order.

As regards compensation, the complainant is at liberty to file a case before the Adjudicating Officer as per provisions of the Act.

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

**Sd/-**  
**Nupur Banerjee**  
**(Member)**