

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

Case No: RERA/CC/839/2021

Rashmi Singh

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Power Grid Nagar Block PG II

06/01/2023

ORDER

This matter was last heard on 03.11.2022 and was fixed for orders on 01.12.2022. However, due to pre- occupation of the Bench in other matter, order could not be pronounced on the date fixed.

In this matter, the complainant booked a flat bearing Flat No.903, 9th floor of 1300 sq.ft. in the said project for a consideration of Rs 9,29,415/- and she has paid Rs. 9,29,415/- through cheques. She stated that according to registered agreement for sale the promoter promised to complete the project before July, 2019 but the respondent failed to start the project. The complaint has been filed for refund of the paid amount along with interest.

The complainant has placed on record the copy of agreement for sale dated 16.02.2016.

Perused the record. No reply has been filed by the respondent. On hearing dated 02-08-2022, the representative of the respondent appeared and has not challenged the prayer of the complainant.

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

The Bench observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, so, orders are being passed.

After considering the documents filed and submission made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 9,29,415/- 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 2% from the date of taking booking till the date of refund within sixty days of issue of this order.

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

Sd/-
Nupur Banerjee
(Member)