

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

**Case No: RERA/CC/1040/2021**

**Suchi Shail**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: IOB Nagar, Block - N**

**13-12-2022**

**ORDER**

This matter was last heard on 22.11.2022

In this matter the complainant booked a flat in the project IOB Nagar, block - N in 2013 and had paid Rs. 16,49,400/- out of the total consideration of Rs. 18,04,075/-. The complainant has filed the complaint case as the respondent failed to construct the project. The complaint has been filed for refund of the paid consideration along with interest.

The complainant has placed on record copy of M.O.U. dated 24/12/2013 and money receipts.

Perused the records. No reply has been filed by the respondent. On the hearing dated 30-08-2022 the representative of the respondent was present and has not challenged the contention of the complainant.

On several occasion the learned counsel for the complainant reiterated the complaint petition and prayer for refund with interest.

The Authority 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. 16,49,400/- 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 5% 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)**