

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

Case No: RERA/CC/1082/2021

Kumari Anjali

...Complainant

Vs.

M/s Agrani Homes Real marketing Pvt. Ltd.

...Respondent

Project: Agrani PG Town

13-12-2022

ORDER

This matter was last heard on 22.11.2022

In this matter the complainant booked a flat in the project PG Town in 2017 and had paid Rs. 13,00,000/- out of the total consideration of Rs. 17,00,000/-. 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 money receipts, application form 01/11/2017 and KYC.

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

On several occasions the complainant reiterated his prayer for refund with interest before the Bench.

The Authority notes that the respondent has violated Section 3 of RERA Act, 2016 as they sold the flat without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

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. 13,00,000/- 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 1% 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)