

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

Case No: RERA/CC/1153/2021

Deepak Kumar

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani PG Town

08-11-2022

ORDER

This matter was last heard on 20.09.2022

The case of the complainant is that complainant booked a flat no. 301 in 2014 for which the he has paid Rs. 17,98,000/- out of the total consideration of Rs. 26,00,000/-. The complainant has filed the complaint case as the respondent failed to construct the project. The complainant has prayed for refund of the paid amount with interest and compensation.

The complainant has placed on record, copy of KYC, ledger account statement and money receipts.

Perused the records. No reply has been filed by the respondent. The representative for the respondent was present on the last date of hearing and has not challenged the contention of the complainant.

During the course of course of hearing the learned counsel for the complainant has reiterated the prayer and complaint petition.

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, orders are being pronounced.

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. 17,98,000/- 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 4% from the date of taking booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press their claim of compensation before the Adjudicating Officer.

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

Sd/-
Nupur Banerjee
(Member)