

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

**Case No: RERA/CC/12/2021**

**Guriya Kumari**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: Agrani at Sampatchak**

**23/02/2023**

**ORDER**

In this matter, the complainant has booked a flat of 3 BHK for an area of 1222 sq.ft. on third floor of the proposed project situated at Sampatchak on 15.06.2013 and paid Rs.8,24,720/-. The respondent has entered into an agreement on 06.07.2013 with a promise that the proposed apartment will be completed within 36 months but after a lapse of six years the flat was not delivered to her. Thereafter on 29.04.2018 a proposal was given from the side of the respondent that as there is delay in the said project, they are shifting her on a newly launched project on which she filed an application on 23.12.2019 before the competent authority for cancellation of booking and refunding the entire amount along with interest and compensation. It is also stated that since at present the rate of the flat is Rs.4000/- per sq.ft., therefore direction may be given to the respondent to pay Rs.48,88,000/- with statutory interest and compensation.

The complainant has placed on record the copy of the MOU, the money receipts, KYC form for SBI and a photo copy of the application dated 23.12.2019.

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.8,24,720/- 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 7% 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)**