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

Case No: RERA/CC/1246/2021

Preeti Kumari

...Complainant

Vs.

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

Project: : IOB Nagar Block-Q

23-12-2022

ORDER

This matter was last heard on 08.09.2022 and was fixed for orders on 26.10.2022. 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 in the project IOB Nagar Block-Q in 2014 and had paid Rs. 15,46,350/- till now. The complainant has filed the complaint case as the respondent failed to construct the project. The complainant cancelled the booked flat and asked for the refund, on which partial refund has been made by the respondent. The complainant in the present case prays for refund and interest.

The complainant has placed on record copy of MOU dated 12/09/2014, cancellation letter and money receipt.

Perused the record. No reply has been filed by the respondent.

On the last date of hearing the learned counsel for the complainant submitted that the respondent has refunded Rs. 7,50,000/-out of the total paid consideration and Rs. 7,96,350/- is still due with the respondent. He prayed for refund of the rest of amount 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.

After considering the documents filed and submission made, the Bench hereby directs the respondent company and its Directors to refund the remaining consideration i.e. Rs. 7,96,350/- to the complainant along with interest on the total paid consideration 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.

With this direction, the matter is disposed of.

Sd/-Nupur Banerjee (Member)