

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Before the Double Bench of Mrs. Nupur Banerjee, Member

& Mr. S.D. Jha, Member

Case No: RERA/CC/1275/2021

Sumitra Devi & Subodh Kumar

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani Daffodils City

06/01/2023

ORDER

This matter was last heard on 22.12.2022. None appears on behalf of either sides.

In this matter, the promoter issued letter of allotment in the name of Subodh Kumar and Tinku Kumari which was cancelled and afresh allotment letter was issued in the name of Sumitra Devi and Subodh Kumar and allotted Flat No.303, Block-B, 3rd Floor, having an area of 1450 sq.ft. on a consideration of Rs.26 lakh and the complainant had paid Rs.21 lakh but the promoter has not returned the amount in the light of the order passed by the Authority. 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 amount along with interest and also for compensation.

The complainant has placed on record copy of the allotment letter, cheques and payment and the copy of the order passed by the Authority.

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

The Authority notes that despite several opportunities the respondent failed to appear before it and hence, the order is being passed on the basis of documents available on record.

The Authority notes that the application for registration was cancelled vide order dated 25.08.2021 with a direction to the respondent to return the entire amount of all the allottees alongwith interest within a period of sixty days.

After considering the documents filed and the material available on record, the Authority hereby directs the respondent company and its Directors to refund the principal amount of Rs.21 lakh 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 plus 2% 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.

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

Sd/-
S.D. Jha
Member

Sd/-
Nupur Banerjee
(Member)