

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

Case No: RERA/CC/17/2021

Alok Kumar

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: Agrani P.G.Town

23/02/2023

ORDER

In this matter, on 22.09.2018 the complainant has booked a flat of 3 BHK under one-time scheme for an area of 1626 sq.ft. of the proposed project situated at Mauza Sarari within Danapur P.S. and paid full consideration of Rs.22 lakh and Rs.2.40 lakh as GST. At the time of booking it was promised that the work will start after approval of the map in January, 2019 but even after lapse of more than 2½ years, there is no progress in the work. The respondent has entered into an agreement on 08.11.2019 with a promise that the proposed apartment will be completed within 36 months with a grace period of six months but after a lapse of more than 2½ years the flat was not delivered to him. It is also stated that at present the rate of the flat is Rs.5000/- per sq.ft. therefore direction may be given to the respondent to pay the principal amount with statutory interest and compensation at the present rate.

The complainant has placed on record the copy of the MOU, the money receipts and KYC.

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

On the last date of hearing the complainant reiterated his 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.24.40 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 for three years 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 as per provisions of the Act.

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

Sd/-
Nupur Banerjee
(Member)