

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

Case No: RERA/CC/34/2022

Md. Parwez Alam Shakeela Bano

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani Phool Kumari Villa

11/01/2023

ORDER

This matter was last heard on 13.12.2022. On that date the complainant was present through her Advocate Mr. Maharana Pratap but none has appeared on behalf of the respondent.

In this matter, the complainant booked a shop bearing Shop No.G-05 in Agrani P.K.Villa having super built up area 325 sq.ft. and out of total consideration of Rs.29.25 lakh he has paid Rs.4.70 lakh and the Agreement for Sale was entered into between the parties on 29.12.2017. It is stated that the respondent company neither handed over the shop nor refunded the amount till date. The complaint has been filed for refund of the principal amount with interest along with compensation.

Learned counsel for the complainant has submitted that the complainant wants refund of the paid amount along with interest. He submitted that as per previous order he has already sent a cancellation letter on e-mail on 29.11.2022 to the respondent regarding cancellation of booking and refund of the amount with interest.

The complainant has placed on record the Agreement for Sale and copy of the money receipts.

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.

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 the submission made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 4.70 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 the compensation, the complainant is at liberty to file a case before the Adjudicating Officer for redressal of his grievance.

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

Sd/-
Nupur Banerjee
(Member)