

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

Case No: RERA/CC/735/2021

Veena Sinha

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: IOB Nagar

20-10-2022

ORDER

This matter was last heard on 31.08.2022

In this matter the complainant booked a flat in the project IOB Nagar in 2014 and had paid Rs. 16,67,000/-. 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 consideration along with interest and compensation.

The complainant has placed on record copy of MOU dated 22-08-2014, KYC dated 20-05-2014 and money receipts.

Perused the records. No reply has been filed by the respondent. On the last date of hearing the representative of the respondent proposed alternate offer to the complainant and has not challenged the contention of the complainant.

On last date of hearing learned counsel for the complainant has reiterated his prayer and submitted that she is not interested in any alternate offer proposed by the respondent.

The Bench observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication.

However, since the matter has already been heard, orders are being pronounced.

After considering the documents filed and submission made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 16,67,000/- 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 4% from the date of taking booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press her claim of compensation before the Adjudicating Officer.

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

Sd/-
Nupur Banerjee
(Member)