

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

Case No: RERA/CC/74/2022

Jyoti Sinha and Kumar Amit **...Complainant**

Vs.

M/s Agrani Homes Real marketing Pvt. Ltd. **...Respondent**

Project: Daffodils City

05-12-2022

ORDER

This matter was last heard on 07.11.2022

In this matter the complainants booked a flat in the project Daffodils City in 2019 and had paid Rs. 11,00,000/- out of the total consideration of Rs. 24,00,000/-. The complainants have filed the complaint case as the respondent failed to construct the project. The complainants have paid Rs. 1,00,000/- as interest for the loan of the apartment. The complaints have been filed for refund of the paid consideration along with interest.

The complainant has placed on record copy of KYC dated 13.02.2019, legal notice dated 21.09.2022 and money receipts.

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

On the last date of hearing learned counsel for the complainant reiterated his prayer for refund.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as they sold the flat without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

The Bench notes that despite notice issued to the respondent, the respondent failed to appear before the Bench, so, orders are being passed on the basis of documents available on the record.

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. 11,00,000/- 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 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 their claim of compensation before the Adjudicating Officer.

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

Sd/-
Nupur Banerjee
(Member)