

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

Case No: RERA/CC/769/2021

Anjani Kumar

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani SBI Nagar, Block-F

06/01/2023

ORDER

This matter was last heard on 07.11.2022 and was fixed for orders on 02.12.2022. However, due to pre- occupation of the Bench in other matter, order could not be pronounced on the date fixed.

In this matter, the complainant booked a flat on 12.08.2017 bearing Flat no.208, Block-F, 2nd floor for an area of 1050 sq.f.t. in the proposed project for a total consideration of Rs.14 lakh and had paid Rs. 10 lakhs. It was promised by the respondent that within 30 days the agreement for sale against the booked flat will be executed but they have deliberately not executed the same. At the time of booking the Director of the company assured him to complete the project but they did not complete the project till date nor hand over the possession of the flat. The complaint has been filed for possession of the said flat.

The complainant has amended the prayer of the complaint petition from possession to refund and sent a mail on 02.10.2022 to the respondent for refund of the paid amount along with interest

The complainant has placed on record copy of the booking form along-with money receipts and copy of the application for registration of the project.

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 submission made, the Bench hereby directs the respondent company and its Directors to refund

the principal amount of Rs. 10 lakhs 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% from the date of taking booking till the date of refund within sixty days of issue of this order.

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

Sd/-
Nupur Banerjee
(Member)