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

Case No: RERA/CC/770/2021

Sunaina Devi   ...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.   ...Respondent

Project: I.O.B. Nagar Block- W

<u>ORDER</u>

23-12-2022

   This matter was last heard on 05.09.2022and was fixed for orders on 26.10.2022. 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 in the project I.O.B. Nagar Block- W and had paid Rs. 14,00,005/- by 2017. 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 amount along with interest.

  The complainant has placed on record partial copy of money receipts, account statement, cancellation letter and copy of KYC.

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

  On the last date of hearing the complainant has prayed for refund with interest. She further submitted that she has already sent a cancellation letter to the respondent.

  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 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. 14,00,005/- 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)