

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

Case No: RERA/CC/849/2021

Uday Kumar

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: Agrani Prakirti Vihar

06/01/2023

ORDER

This matter was last heard on 03.11.2022 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 plot on 26.03.2016 bearing plot no.659 for an area of 2200 sq.f.t. in the proposed project for a consideration of Rs.10,25,888/- including service tax and had paid Rs. 4 lakh. It was agreed between the parties that the remaining amount will be paid after seeing work progress in the plot in question. It was promised by the respondent that the development work would be completed in a period of 36 months with a grace period of further six months but even after six years there is no progress in the plot. It was also agreed that if the respondent fails to deliver the same, he shall return the entire amount along-with interest within three months. The complainant has filed the complaint case as the respondent failed to develop the project. The complaint has been filed for refund of the paid amount along with interest and compensation.

The complainant has placed on record copy of money receipts and copy of KYC.

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.

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.4 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% from the date of

taking booking till the date of refund within sixty days of issue of this order.

As regards compensation, the complainant is at liberty to file a case before the Adjudicating Officer as per provisions of the Act.

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

Sd/-
Nupur Banerjee
(Member)