

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Division Bench of Mrs. Nupur Banerjee & Mr. S.D. Jha, Members.
RERA, Bihar.**

Complaint Case No. RERA/CC/1898/2020,

AO-690/2020

Vishal Raj.....Complainant

Vs.

M/s Agrani Homes Real Services Pvt. Ltd & ors..... Respondent

PROJECT: - Agrani PG Town

For Complainant: In Person

For Respondent: None

ORDER

13-12-2022

The matter was filed before the A.O. and subsequently, it was transferred before the Authority on the prayer of complainant for refund. It was last heard on 17.11.2022.

The case of the complainant is that complainant had booked a flat, bearing flat No.408, in Block-F, in Agrani PG Town at Sarari, Danapur in 2019 and had paid Rs.9.51 lakh, out of total consideration amount of Rs.16.51 lakh, in lieu of booking of the flat. He further submitted that as the development of the project has not been started; the present complaint has been filed seeking relief for the refund of the deposited amount along with interest and compensation.

The complainant has placed on record money receipts duly acknowledged and issued by the respondent company of the claimed amount of Rs.9.51 lakh.

Perused the records. Neither any reply has been filed nor the respondent has appeared despite notice issued to

respondent. Hence, order is being passed on the basis of material available on record. On the last date of hearing, the complainant reiterated her prayer for refund of the amount paid.

The Bench observes that the application of registration of Project “PG Town” has been rejected by the Authority vide order dated 02.09.2021. The Bench also takes note of the submission of complainant regarding intimation of cancellation of his above stated flat.

After considering the documents filed and submissions made, the Bench hereby directs the Respondent Company and their Directors to refund the principal amount of Rs.9.51 lakh to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for two years plus three percent from the date of taking the booking within sixty days of issue of this order.

The Complainant can press the claim for compensation before the A.O. as per the provisions of the Act.

With these direction and observations, the case is disposed of.

Sd/-

S.D. Jha

Member

Sd/-

Nupur Banerjee

Member