

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/205/2021

Krishna Singh.....Complainant

Vs

Agrani Homes Real Marketing Pvt. Ltd.....Respondent

Project: Agrani S.B.I. Nagar

01.06.2022

ORDER

The matter was last heard on 27.04.2022.

The complainant booked a duplex flat in the project “Agrani SBI Nagar” for total consideration of Rs.27,50,000/- in 2015 against which he paid Rs.22,51,000/- to the respondent. The complainant alleged that despite making payment of more than 95% amount no development work has been started by the respondent, neither executed any agreement for sale nor refunded the amount and he has failed to hand over the possession of the said flat. Hence, he filed this case and have prayed for a refund of the amount along with 18% interest and also claimed Compensation for Rs. 5,00000/-for mental agony.

The complainant has placed on record a copy of the money receipt of Rs.22,51,000/-and KYC duly acknowledged by the respondent company.

Perused the records. The Bench notes that the respondent has not filed any reply. The Bench also

recalls that the complainant is not interested in the offer of an alternative flat or plot made by the respondent during the course of the hearing.

The complainant filed the supplementary affidavit in compliance with the earlier direction of the Bench to amend the complaint petition as the complainant had filled Form M but it was addressed to Adjudicating officer instead of Authority.

After considering the documents filed and submissions made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.22,51,000/- (Twenty two lakh fifty one thousand only) to the complainant along with interest at the rate of the marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus three percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

So far as other claims are concerned, the Bench observes that these are in the nature of compensation. The complainant is at liberty to press these claims before the court of Adjudicating Officer.

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

Sd/-

Naveen Verma

(Chairman)