

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/656/2021

Ritu Kamal Sinha.....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 18.05.2022.

The complainant booked a flat in the project “Agrani SBI Nagar” for total consideration of Rs.13,00000/- (including taxes) in 2015 against which he paid Rs.5,50,000/- to the respondent. The respondent has failed to hand over the possession of the said flat. Hence, she filed this case and have prayed for a refund of the amount along with 20 % compound interest.

The complainant has placed on record a copy of MOU dated 03.01.2018 and the money receipt for Rs.5,50,000/- 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.

It is apparent from the record that notwithstanding the fact that the project was not registered, the promoter went ahead with new booking in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. This matter may be included in the suo motu proceedings against the respondent under section 59 of the Real Estate (Regulation and Development) Act, 2016.

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.5,50,000/- 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 from the date of taking the 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/-
Naveen Verma
(Chairman)**