

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble
Member Mr. S.D. Jha, RERA, Bihar,**

RERA/CC/175/2022

Shruti Rani Complainant

Vs.

M/s Agrani Homes Pvt. Ltd. Respondent

For the complainant: Mr. Vikash Kumar, Advocate

For the Respondent: None

Project: IOB NAGAR

ORDER

01.03.2023 Hearing taken up. Mr. Vikash Kumar, Advocate, appears for the complainant. The respondent is absent.

Learned counsel for the complainant submits that the complainant booked a flat bearing no.702 in IOB Nagar project on consideration amount of Rs.15,00,000/-, out of which she paid Rs.10,50,000/-. The flat was to be handed over within the time frame, but later it came to her notice that the project has been rejected by the RERA and therefore she wants refund of the amount along with interest and compensation. He refers an order dated 27.8.2021 of the Authority and submits that in that order the project has been rejected by the Authority and respondent – promoter has been directed to refund the money of the allottees. On query about cancellation letter, he submits that the complainant visited several times to the office of the respondent – promoter but nobody was available there and thereafter the complainant tried to contact on telephone but in vain.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notices issued 2.2.2023. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

In the backdrop of the submissions advanced on behalf of the complainant and on going through the material available on the record,

the Authority directs the respondent - company and its Directors to refund the principal amount of Rs.10,50,000/-to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment.

The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-
S.D. Jha
Member