

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Hon'ble Member, Mr. S.D.Jha, RERA,
Bihar

Case No: RERA/CC/101/2024

Savita Kumari

...Complainant

Vs.

M/s Agrani Home Real Marketing Pvt. Ltd.

...Respondent

Project: Crystal Avenue

13/08/2024

ORDER

Hearing taken up. Mr. Punit Kumar, Advocate appears on behalf of the complainant. The respondent is absent.

2. Learned counsel for the complainant submits that the complainant booked a plot bearing Plot No.B-25 having an area of 1000 sq.ft.in the project Crystal Avenue which is situated at Khagaul Road, Danapur, District Patna vide KYC dated 23.05.2018 on consideration of Rs.17.00 lakh, out of which she had paid Rs.05.00 lakh including service tax on 08.05.2018. The developer agreed to transfer the same in favour of the complainant after registration of the plot but the developer neither offered for agreement nor possession of the flat. The complainant visited several times to the office of the respondent to know about development of the project but nothing has happened till date. He further submits that the cancellation letter dated 09.03.2019 was already sent to the respondent, a copy of which has been annexed as Annexure3 to the complaint petition She, therefore, requests for refund of money along with interest and compensation. .

3. Perused the record. The Authority observes that the respondent- promoter neither honoured the commitment made to the complainant of handing over flat nor is appearing in this case in spite of several opportunities given and notice issued on 19.07.2024. Considering the hardship being faced by the complainant and also the indifferent and non-cooprative attitude of

the respondent- promoter in not refunding money in spite of sending cancellation letter dated 09.03.2019, the Authority is left with no option but to dispose of this case and accordingly, this case is being disposed of today on the basis of material available on record.

4. In the backdrop of the submissions made on behalf of the complainant and on going through the material available on record, the Authority directs the respondent-company and its Directors, namely, Mr. Alok Kumar, Mr. Rana Ranvir Singh, Mr. Padum Singh and Ms. Alka Singh to refund the principal amount of Rs.5.00 lakh 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 rate of the State Bank of India on the date on which the amount becomes due till the date of payment.

5. The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA as per the provisions of the RERA Act, 2016.

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

Sd/-
(S.D.Jha)
Member