

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Full Bench of Mr. Naveen Verma, Chairman,
Mr. R.B. Sinha & Mrs. Nupur Banerjee, Members**

Case No. RERA/CC/104/2021

Azad Ahmad Complainant

Vs.

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

Project: Patliputra Enclave

27.09.2021

29.11.2021

ORDER

This matter was last heard along with the batch cases before the full bench on 06.09.2021.

The case of the complainant is that he booked a flat, bearing flat No. 207, having an area of 1020 sq. ft. in the year 2015, in the proposed project "Agrani Patliputra Enclave" of respondent company and deposited Rs. 4,72,526/- (Four Lakh Seventy-two Thousand Five hundred Twenty Six Only) as an advance through cheque. The complainant has paid Rs.1,00,000/- (One Lakh) vide cheque no. BOI 000021 dated 15.12.2015, Rs.1,72,526/- (One Lakh Seventy-two Thousand Only) vide cheque no. BOI 000030 dated 25.04.2016, Rs. 2,00,000/- (Two Lakhs) vide cheque no. BOI 000035 dated 10.06.2016. Since then no development/ construction of project took place, complainant and requested for refund of booking amount along with interest. However, the complainant has not filed money receipt.

Perused the records of the case. The Bench notes that the respondent company have not complied with the directions issued on the last date of hearing.

The Bench notes that Mr. Alok Kumar, Managing Director of the respondent company was present on the date of

hearing and has not challenged the submission of the complainant and the facts are being admitted.

The Bench notes that the respondent company have themselves withdrawn their application for registration of Project “Patliputra Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.

The Authority, therefore, directs the respondent company and their Directors to refund the principal amount of Rs.4,72,526/- 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 three years or more plus two percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

With these directions, the matter stands disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

R B Sinha
(Member)

Sd/-

Nupur Banerjee
(Member)