

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/1060/2020

Ms. Babita Sinha 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 she booked flat No. 107, having a super built up area of 1050.6 sq. ft. in the year 2017, in block- A of the proposed project "Patliputra Enclave" of respondent company and deposited Rs. 6,00,000/- (Six Lakhs only) as an advance through cheque. The total consideration amount to be paid was Rs. 33,95,347/- (Thirty three lakhs ninety five thousand three hundred forty seven only). The complainant has paid Rs. 4,50,000/- (Four Lakhs fifty thousand only) vide cheque no. SBI 453415 dated 20.11.2017 and Rs. 1,50,000/- (One Lakh Fifty thousand) vide cheque no. SBI 618221 dated 21.11.17 for which money receipt no. 23 dated 27.11.2017 was issued. After finding that no development/ construction of project took place, complainant applied for cancellation of flat on 23.06.2019, and requested for refund of booking amount along with interest.

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The Bench notes that the respondent company have themselves withdrawn their application for registration of Project “Patliputra Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.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. 6,00,000/- 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 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)