

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/1093/2020

Sumit Kumar 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 two flats, bearing flat No. 303 & 304, having an area of 1532 sq. ft. on 24.05.2017, in the proposed project "Patliputra Enclave" of respondent company and deposited Rs. 5,00,000/- (Five Lakhs Only) as an advance through cheque. The complainant has paid Rs.5,00,000/- (Five Lakhs) vide cheque no. CNR 330938 dated 23.05.2017, for which money receipt No.301 dated 24.05.2017, was issued. Since no development/ construction work started, and the work is yet to take off, the complainant withdrew from project and prays 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The Bench notes that the respondent company have themselves withdrawn their application for registration of Project “Patliputra Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.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. 5,00,000/- 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)