

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Double Bench of Mr. Naveen Verma, Hon'ble Chairman,
and Mrs. Nupur Banerjee, Hon'ble Member

Case No.CC/117/2021

Santosh Kumar..... Complainant

Vs.

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

Project: Agrani Residency

ORDER

25/01/2022: This matter was last heard along with the batch of cases in the Double Bench on 11/01/2022.

The complainant's case is that he had booked an apartment in project Agrani Sampatchak in 2013. After passing of 5 years when no development work was done, the respondent informed him that the project is cancelled and his booking was transferred in another project – Agrani Residency. As per Memorandum of Understanding dated 21/06/2018, the complainant has paid total consideration of Rs 8,62,360/-. The complainant has requested for refund with interest.

The complainant has placed on record M.O.U. dated 21st June 2018 for apartment in project - Agrani Residency, M.O.U. of apartment in project – Agrani Sampatchak, refund application dated 19/11/2019 and money receipts dated 26/05/2018 for Rs 37,640, 31/07/2013 for Rs 1,00,000 and 13/12/2013 for Rs. 2,00,000/-

Perused the records. The respondent has not filed any written submission. However the representative of the respondent company has been present during hearings and has not refuted the claim of payment made by the complainant.

On the last date of hearing dated 11/01/2022, the complainant Mr. Santosh Kumar submitted that the respondent has refunded Rs. 1,00,000/- only till date.

The Bench had given certain directions to the respondent during the hearing held on 11/01/2022. The Authority directs Mr. Alok Kumar, MD of the respondent company to take immediate action to raise resources to refund the allottee.

The Authority directs the Respondent Company and its Director to refund the principal amount of Rs. 7,62,360/- to the complainant along with interest at the rate of the marginal cost of fund-based lending rates (MCLR) of State Bank of India as applicable for three years or more plus four per cent 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/-

Nupur Banerjee
(Member)