

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Division Bench of
Mrs. Nupur Banerjee & Mr. S.D. Jha, Members, RERA, Bihar.
RERA/CC/1286/2021

Binu Devi & Ram Chander Rajak.....Complainants

Vs.

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

PROJECT: AGRANI DAFFODILS CITY

For Complainant: Sri Shrawan Kumar, Advocate

For Respondent: None

ORDER

13.01.2023 Hearing taken up. Sri Shrawan Kumar, Advocate, appears for the complainant. The respondent is absent. On two consecutive dates (4.11.2022 & 22.12.2022) also, the respondent was absent. The record further shows that in conciliation proceeding held on 5.7.2022 & 19.7.2022 the respondent was absent.

The case was last heard on 22.12.2022 and notice was issued to the respondent for appearance on the next date (13.1.2023) with an observation that in case of non-appearance, the case would be disposed of on merit on the basis of material available on the record. Hence, this case has been heard today and is being disposed of accordingly.

The case of the complainants are that that they booked a flat in the project to be handed over within a time frame on consideration amount Rs.32,95,000/-, and paid Rs.3,29,500/-. He further states that the respondent has still not started the construction work of the project and also does not respond in case of enquiry being made by the complainants. Hence, they want to get the principal amount of Rs.3,29,500/- . refunded with interest.

In the backdrop of the submissions advanced on behalf of the complainants and on going through the material available on the record, the Authority directs the respondent company and its Director to refund the principal amount of

Rs.3,29,500/- to the complainants along with interest within sixty days of issue of this order. The interest would be paid at the rate of Marginal Cost of Fund Based Lending Rates (MCLR) of the State Bank of India as applicable for three years plus 2% interest from the date of booking till the date of refund.

The complainants are at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

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

Sd/-
S.D. Jha
Member

Sd/-
Nupur Banerjee
Member