

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Division Bench of
Mrs. Nupur Banerjee & Mr. S.D. Jha, Members, RERA, Bihar.
RERA/CC/1294/2021

Sima Kumari.....Complainant

Vs.

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

PROJECT: AGRANI SBI NAGAR

For Complainant: Sri Rajesh Kumar, Husband,

For Respondent: None

ORDER

13.01.2023 Hearing taken up. Sri Rajesh Kumar, Husband, appears for the complainant. The respondent is absent. On the last two 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 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 husband of the complainant submits that the complainant booked a flat in the project on consideration amount of Rs.17,00,000/- out of which she paid Rs.15,00,000/-. The project was to be completed within time frame but the work of the project has not started till date. Hence, the complainant requests for refund of the amount with interest. The cancellation letter has already been sent to the respondent through mail and a copy thereof has been filed which is on the record.

In the backdrop of the submissions advanced on behalf of the complainant 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.15,00,000/- to the complainant 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 complainant is 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