

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Division Bench of
Mrs. Nupur Banerjee & Mr. S.D. Jha, Members, RERA, Bihar.
RERA/CC/1296/2021

Bazmi Ahmad.....Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.Respondent

PROJECT: AGRANI IOB NAGAR

For Complainant: None

For Respondent: None

ORDER

13.01.2023 Hearing taken up. Sri Shashank Shekhar, learned Counsel for the complainant, has sent a mail to the office of the Authority that since he is busy in a case before the District Court, he will not appear physically and has requested to pass order because he has already concluded the final argument in the matter. The respondent is absent. On two consecutive dates (4.11.2022 & 22.12.2022) also, the respondent was absent. The record further shows that on 5.7.2022 before the Conciliation Forum 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 complainant is that that he booked a flat in the project namely **Agrani IOB Nagar, O Block**, to be handed over within a time frame, on consideration amount Rs.16,49,440/-, out of which he paid Rs.13,75,000/-. He further states that the respondent has still not started the construction work and also does not respond to him in case of enquiry being made. Hence, he wants to get the principal amount of Rs.13,75,000/- refunded with interest.

In the backdrop of the submissions advanced on behalf of the complainant on the last date 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.13,75,000/- 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