

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Hearing Before the Bench of Hon'ble Chairman, Mr. Naveen Verma,**

**& Hon'ble Member, Mrs. Nupur Banerjee**

**Case No. :- RERA/CC/1339/2020**

**Sanjay Kumar.....Complainant**

**Vs**

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

**Project: Daffodil City**

**06.12.2021**

**Order**

This matter was last heard before Double Bench on 25.11.2021.

The case of the complainant is that he booked flat no. 503 in Block “B” having area 1450 sq.ft in the project Agrani Daffodils city, of Agrani Homes Real Marketing on 28.8.2018 with total consideration amount of 41,15,000 and has made payment of Rs. 4,00,000 vide cheque no. PNB-906845 dated 25/08/2018 for which money receipt no. 3309 dated 28/08/2018 was given to the complainant. The complainant has alleged that the respondent company had falsely submitted that the project is registered with the Authority but as till date the company has not started the project the complainant has prayed refund of money along with due interest.

Perused the records. The respondent has not filed any written reply.

It is apparent from the documents filed by the complainant that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo motu proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development ) Act, 2016.

On the last date of hearing dated 25.11.2021 the complainant submitted that he wants refund of the paid amount with interest and the director of the company Mr. Rana Ranvir Singh submitted that the company shall refund the amount to the complainants by next month.

The Authority directs the respondent company and their Directors to refund the principal amount of Rs.4,00,000/- along with interest calculated on the date of booking @ marginal cost of refund based rate of MCLR for two years to the complainant within 60 days from the date of order. The Bench further imposes penalty of Rs. 25,000/- (Twenty five thousand only) on the respondent directors for not filing affidavit.

Sd/-

**Nupur Banerjee**

**( Member )**

Sd/-

**Naveen Verma**

**( Chairman )**