

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/1577/2020

Abhishek Verma/ Raunak SanchetiComplainants

Vs.

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

PROJECT : "I.O.B. Nagar"

ORDER

19.05.2022

This matter was last heard on 17.05.2022.

The case of the complainant is that he booked a flat bearing no. 605, in the project **Agrani IOB NAGAR** on 1st August 2018 and paid Rs.10,00,000/- against the booking. When the complainant learnt that the project has been rejected by RERA he visited the respondent office several time requesting to return the paid amount but till now he has not refunded the deposited money . Hence the complainant filed the present case praying for refund of amount paid along with 18% interest and compensation for mental and physical harassment.

The complainant has placed on record a copy money receipt issued by the respondent company against payment of Rs.10,00,000 and advance account statements.

The Authority notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

While the respondent has not filed any reply, during hearing they stated that they would approach the complainant and offer alternative proposal for flat or land.

On the last date of the hearing, the complainant reiterated his prayer and also submitted that he is not interested in offer proposed by the respondent. The representative of the respondent stated that the complainant is not interested in any offer of alternative flat or plot . He stated that the remaining amount would be returned within two months.

Having heard the submissions, the Bench hereby directs the respondent company and their directors to refund the principal amount of Rs.10,00,000 to the complainant along with interest at the rate of marginal cost of fund based lending rate (MCLR) of State Bank of India as applicable for three years plus 3 percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions and observations, the matter is disposed of.

Sd/-

Naveen Verma
(Chairman)