

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Division Bench of**

**Mr. S.D. Jha, Member, RERA, Bihar.**

RERA/CC/1723/2020/RERA/AO/593/2020

Mr. Ashutosh Kumar Bhagat.....Complainant

Vs.

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

**PROJECT: AGRANI DAFFODILS CITY**

For Complainant: Mr. Rahul Shah,Relative,

For Respondent: None

**ORDER**

19.01.2023           Hearing taken up. Mr. Rahul Shah, Relative of the complainant, appears for the complainant by filing a copy of mail authorizing him by the complainant to participate in the proceeding. The respondent is absent. The record further reveals that in the earlier proceeding held on 6.12.2020 before the Adjudicating Officer, the respondent was also absent.

The relative of the complainant submits that the complainant booked a flat in the project on 19.7.2019 on consideration amount of Rs.31,35,000/-, out of which he paid Rs.5,00,000/- and in support thereof money receipts have been filed which are on the record. He further submits that the respondent had assured the complainant that the project will start in the month of October, 2019, but still there is no progress in the project. Hence, the complainant requests for refund of the amount with interest.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of starting the project in the year 2019 nor is showing interest in getting this case disposed of by appearing in the case in spite of notices issued earlier by the Adjudicating Officer. Considering the indifferent and non-cooperative attitude of the respondent – promoter as well as the difficulties being faced by the complainant, the Authority does not think it proper to allow this case pending for further period and accordingly the case is disposed of today itself.

In the backdrop of the submissions advanced by 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.5,00,000/- 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**