

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Hon'ble Member, Mr. S.D.Jha, RERA,
Bihar

Case No: RERA/CC/219/2024

Mohammad Parvez

...Complainant

Vs.

M/s Agrani Home Real Marketing Pvt. Ltd.

...Respondent

Project: Daffodils City

13/08/2024

ORDER

Hearing taken up. Mr. Maharana Pratap, Advocate appears on behalf of the complainant. The respondent is absent.

2. Learned counsel for the complainant submits that the complainant booked a flat bearing Flat No.302 on 3rd floor in Block-A in the project Agrani daffodils City measuring super build-up area of 1350 sq.ft. along with one reserved car parking situated at Mauza Dhanaut, P.S. Rupaspur, Thana No.20, District Patna for an aggregate consideration of Rs.21.00 lakh, out of which he had paid Rs.19.00 lakh and service tax of Rs.69,683/-. Thereafter Memorandum of Undemanding was executed between the parties on 21.09.2016.. He submits that after passing of eight years, nothing has been done. He further submits that the complainant has already sent a copy of letter of cancellation for refund of money vide e-mail dated 09.02.2024 which is also incorporated in the MOU executed on 21.09.2016 at page-4. He, therefore, requests for refund of money along with interest.

3. Perused the record. The Authority observes that the respondent- promoter neither honoured the commitment made to the complainant of handing over flat nor is appearing in this case in spite of several opportunities given and notice issued on 19.07.2024. Considering the hardship being faced by the complainant and also the indifferent and non-cooprative attitude of the respondent- promoter in not refunding money in spite of

sending cancellation letter dated 09.02.2021, the Authority is left with no option but to dispose of this case and accordingly, this case is being disposed of today on the basis of material available on record.

4. In the backdrop of the submissions made on behalf of the complainant and on going through the material available on record, the Authority directs the respondent-company and its Managing Director Mr. Alok Kumar to refund the amount of Rs.19,69,683/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent prime lending rate of the State Bank of India on the date on which the amount becomes due till the date of payment.

5. With the aforesaid observations and directions, this case is disposed of.

Sd/-
(S.D.Jha)
Member