

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/241/2022

Mrs. Asha Kumari..... Complainant

Vs.

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

For the complainant: In person

For the Respondent: None

Project: AGRANI DAFFODILS CITY

ORDER

20.03.2023 Hearing taken up. Mrs. Asha Kumari, complainant, is present. The respondent is absent. It appears from the record that the respondent also did not appear in the conciliation proceeding held before the Conciliation Forum on 13.6.2022 & 22.6.2022 respectively.

The complainant submits that she booked Flat no.102, of an area 1000 sq. ft., in the project located at Dhanaut, Mahuabagh, District – Patna, on consideration amount of Rs.30,00,000/-, out of which she paid Rs.5,00,000/- in the year, 2019 & 2020 and further she paid Rs.1000/- in cash for stamp. As per agreement, the possession of the flat was to be handed over by December, 2022, but the respondent failed in honouring the commitment. She also submits that the registration of the project (M/s Agrani Homes Real Marketing Pvt.Ltd.) has been cancelled by the Authority vide order dated 25.8.2021, wherein the respondent – promoter has been directed to refund the deposit amount of the consumers/allottees within 60 days of the order along with interest, but even after 4 months of the order, the respondent – promoter has not paid any amount. Hence, she has moved the Authority with a request to refund the amount along with interest.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notice issued on 7.3.2023. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, 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 made by the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Directors, namely, Mr. Alok Kumar & Mr. Rana Ranvir Singh 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 rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment.

The complainant is at liberty to press other claims, if any, 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