

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

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

RERA/CC/256/2022

Mr. Dhiraj Kumar..... Complainant

Vs.

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

For the complainant: Mr. Niraj Kumar, brother,

For the Respondent: None

**Project: PRAKRITI VIHAR**

**ORDER**

20.03.2023

Hearing taken up. Mr. Niraj Kumar, brother of the complainant, appears for the complainant with an authorization letter, which is kept on the record. The respondent is absent.

Mr. Niraj Kumar, brother of the complainant, submits that the complainant booked a plot no.A-66 of 1200 sq. ft., in the project on consideration amount of Rs.4,80,000/-, out of which he paid Rs.2,00,000/- on 30.5.2016 & 4.5.2018 respectively. The plot was to be handed over by the end of December, 2020, but till date possession of plot has not been handed over. Hence, the complainant has sent a letter to the respondent through mail with a request to refund the money along with interest, a copy of which is kept on the record. The complainant also requests the authority to get his money refunded 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 on behalf of the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Directors to refund the amount of Rs.2,00,000/- 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**