

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman
Case No. RERA/CC/285/2021

Sarika Kumari

.....Complainant

Vs

M/s Agrani Homes Pvt. Ltd.

.....Respondent

Project: IOB Nagar, Block-M

ORDER

14.9.2022

This matter was last heard on 25.8.2022.

The complainant had booked a plot of 2200 sq. ft. in the project Agrani Prakriti Vihar in 2015. The complainant had entered into an MOU on 14.11.2016 which mentions the total consideration amount of Rs.9,24,000/-. The complainant has paid Rs.5,72,722/- at the time of booking.

The complainant has also filed copies of cheque for Rs.5 lakh and some money receipts issued by the respondent company.

Although, the respondent has not filed a reply, they had offered plot in village Parmanandpur, Sonapur to the complainants. The respondent has subsequently filed a petition stating that the complainant is not interested in the offer and the orders may be passed.

The Authority recalls that on the last date of hearing both the parties were requested to file written submission after visiting the plot stating therein the response of the complainant and the offer made by the promoter. Perused the records and the Authority notes that no written submission has been filed and therefore, concludes that the offer of the respondent is

not acceptable to the complainant. The complainant had reiterated her request for refund of money during hearing because she was not interested in any offer of the respondent company.

The Authority observes that the cost imposed upon the respondent for not contacting the complainant has not been paid to her and directs that this payment may be made within a fortnight.

The Authority recalls that it had also imposed a penalty of Rs.5,000/- which has to be deposited immediately ,and not later than two weeks , with the Authority failing which action for recovering the same as arrear of land revenue as provided in Section 40 (1) of the Real Estate (Regulation and Development) Act, 2016 shall be taken.

After having considered the submissions made the Authority hereby direct the company and the Directors of the respondent company to refund principal amount of Rs.5,72,722/- along with interest calculated at marginal cost of fund based lending rates (MCLR) of SBI for three years plus three percent within 60 days from the date of passing of this order.

With this direction/observation the matter is disposed of.

Sd/-
Naveen Verma
Chairman