

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Division Bench of

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

RERA/CC/286/2021

Kanhaiya Jee.....Complainant

Vs.

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

PROJECT: AGRANI BOB CITY

For Complainant: Sri Arun Kumar Singh, father in law,

For Respondent: None

ORDER

13.01.2023 Hearing taken up. Sri Arun Kumar Singh, father-in-law of the complainant, appears for the complainant. The respondent is absent. On the last date (26.12.2022) also the respondent was absent. The record further shows that on 16.9.2022 & 13.10.2022 when the matter was taken up before the Adjudicating Officer, the respondent was absent.

The case was last heard on 26.12.2022 and notice was issued to the respondent for appearance on the next date (13.1.2023) with an observation that in case of non-appearance/compliance, the case would be disposed of on the basis of material available on the record. Hence, this case has been heard today and is being disposed of accordingly.

The father-in-law of the complainant states that the complainant entered into an agreement with the respondent - company on 20.6.2016 for purchasing a flat at Mouza – Painal, P.S. Bihta, District – Patna, to be handed over within three years with grace period of six months from the date of agreement, on consideration amount Rs.13,83,000/-, out of which he paid Rs.7,00,000/-. He further states that the respondent - company has still not commenced the work of the project. Hence, the complainant wants to get the principal amount of Rs. Rs.7,00,000/-refunded with interest. Today, the father - in - law of the complainant reiterates that the complainant wants refund of the amount.

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.7,00,000/- 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