

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Division Bench of

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

RERA/CC/299/2021

Mithilesh Pandey.....Complainant

Vs.

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

PROJECT: AGRANI ASHOKA BLOCK -C

For Complainant: In person

For Respondent: None

ORDER

13.01.2023 Hearing taken up. The complainant is present. The respondent is absent. On the last date (26.12.2022) also the respondent was absent. The record further shows that on 21.9.2022 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 complainant states that he entered into an agreement with the respondent - company on 18.3.2019 for purchasing a flat at Mouza – Painal, P.S. Bihta, District – Patna, to be handed over before 31.12.2020, on consideration amount Rs.21,00,000/-, out of which he paid Rs.19,00,000/-. He further states that the respondent has still not commenced the work of the project. Hence, he wants to get the principal amount of Rs.19,00,000/- refunded with interest. Today, the complainant reiterates that he 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.19,00,000/- 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