

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Hon'ble Member**

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

RERA/CC/301/2021

RERA/AO/162/2021

Vaishali Singh.....Complainant

Vs.

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

**PROJECT:DAFFODILS CITY**

For the Complainant: Mr. Ravi Prakash, Husband,

For the Respondent: None

**ORDER**

31.01.2023 Hearing taken up. Mr. Ravi Prakash, Husband of the complainant, appears for the complainant by filing an authorization letter. The respondent is absent. On the last two dates ( 27.12.2023 & 16.01.2023) also the respondent was absent.

Husband of the complainant submits that the complainant booked a flat in the project on consideration amount of Rs.40,58,780/-, out of which she paid Rs.3,71,360/-. The flat was to be completed within a period of three years, but the respondent failed to honor the commitment. As a result, the complainant sent a cancellation letter to the respondent and wants refund of the amount 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 notices issued. In fact, it was clearly mentioned in the last notice dated 16.01.2023 that "In case of non-compliance, the order will be passed on merit on the basis of the material available on the record." Considering the indifferent and non-cooperative attitude of the respondent – promoter as well as the difficulties being faced by the complainant, 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 advanced on behalf of 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.3,71,360/- 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**