

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Full Bench of Mr Naveen Verma, Chairman,
Mr R.B. Sinha & Mrs. Nupur Banerjee, Members**

RERA/CC/310/2019

Pramod Kumar Dubey.....Complainant

Vs

M/s Agrani Homes Pvt LtdRespondent

Projects: Galaxy Block C

16/09/2021

ORDER

The matter was last heard on 9 September 2021 when both the complainant and Mr. Alok Kumar, MD of the respondent company were present.

The case of the complainant is that he has paid Rs 5.00 lakh in 2013 for an apartment in the project. However, on learning that the project would be delayed due to certain hurdles he requested orally for a refund but later gave a written request on 23.5.2017. He even sent a legal notice to this effect but the promoter did not send any reply.

He has further stated that he is suffering from cancer and both his legs have been amputated and has filed medical reports in this regard.

Perused the records. The respondent company had filed a rejoinder in March 2019 stating that they would refund the amount in six installments and had prayed for four months time.

The Authority takes note of the submission of the complainant that till date a refund of only Rs 3.5 lakh has been made.

The Authority also takes note of the submission made by Mr. Alok Kumar, Director of the respondent company to make the refund of outstanding principal and interest to the complainant considering his extreme hardship.

The Authority directs the Respondent Company and their Directors to immediately refund the outstanding principal amount to the complainant along with interest at the rate of marginal cost of lending rates (MCLR) of State Bank of India as applicable for three years plus two percent from the date of taking the booking to the date of refund within sixty days of this order.

**Sd/-
Nupur Banerjee
Member**

**Sd/-
R.B. Sinha
Member**

**Sd/-
Naveen Verma
Chairman**