

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/313/2021

RERA/AO/266/2021

Mr. Shyam Nandan Choudhary..... Complainant

Vs.

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

For the complainant: In person

For the Respondent: None

Project: AGRANI PRAKRITI VIHAR

O R D E R

14.03.2023 Hearing taken up. Mr. Shyam Nandan Choudhary, complainant, is present. The respondent is absent. On the last date i.e. 24.2.2023 also, the respondent was absent. The respondent was also absent in the proceedings held on 27.12.2022 before the Adjudicating Officer.

The complainant submits that he had booked a plot in the project in the Year, 2014 on consideration amount of Rs.7,59,000/-, out of which till December, 2015 he paid Rs.6,01,001/-. The plot was to be handed over within the time frame, but the respondent failed in handing over possession within the time granted. Hence, he wants refund of the principal amount along with interest and compensation. He further submits that he has sent so many mails to the respondent on different dates for refund of the amount but he does not respond to the mail. He assures that he will file hard copies of those mails today itself in the office of the Authority.

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 notice issued 24.2.2023. It was clearly mentioned in the notice that in case of non-compliance/non-appearance, the case will be disposed of on the next date on merit on the basis of material available on the record. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, 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 made by the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Directors, namely, Mr. Alok Kumar & Mr. Rana Ranvir Singh to refund the principal amount of Rs.6,01,001/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment.

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