

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Hon'ble Chairman

RERA/CC/472/2021

Sanjay Kumar ThakurComplainant

Vs.

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

PROJECT : "BOB CITY"

Order

9.06.2022

This matter was last heard on 28.04.2022.

The case of the complainant is that he booked a flat in the project **BOB CITY** on 24/06/2017 for a total consideration amount of Rs. 11,49,500/- against which he paid Rs.2,00,000/-. Since the project has not started and the complainant was not able to contact the respondent , the present matter was filed for refund with interest or possession of flat.

The complainant has placed on record, K.Y.C dated 24/06/2017 and money receipt issued by the respondent company against payment of Rs.2,00,000.

Perused the records. No reply has been filed by the respondent.

During the hearing held on 05.05.2022, the complainant reiterated his prayer for refund with interest. Legal Representative for the respondent agreed that this case may be posted for order.

The Bench observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, order is being pronounced.

Taking note of the submissions made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 2,00,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus one percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)