

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Mr. Naveen Verma, Chairman**

**Case No. RERA/CC/481/2021**

**Sanjay Kumar Bharti.....Complainants**

**Vs**

**Agrani Homes Real Marketing Pvt. Ltd. ....Respondent**

**Project: Agrani Ashoka C Block**

**09.06.2022**

**ORDER**

The matter was last heard on 28.04.2022.

The case of the complainant is that he booked flat bearing no.401, Block “C” on 19.02.2019 in the project “Agrani Ashok” for total consideration of Rs.35,35,000 for which he has paid Rs.3,53,500/- . Since no development/construction had started the complainant filed this instant case for refund of the amount with 18% interest and house rent i.e, Rs.15000 per month since March 2019 .

The complainant has placed on record a copy of KYC, and copy of Aadhar card, various money receipt issued by the respondent company against payment of Rs.3,53,500/- .

On the last date of the hearing, the complainant reiterated prayer for refund with interest and the Legal Representative for the respondent agreed that this case may be posted for order.

Perused the record. The Bench notes that the respondent has not filed any reply.

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.

Having heard the submission of both the parties the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs 3,53,500 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 two years from the date of taking the booking within sixty days of issue of this order.

So far as other claims are concerned, the Bench observes that these are in the nature of compensation. The complainant is at liberty to press these claims before the court of Adjudicating Officer.

With these directions , the matter is disposed of.

Sd/-

**Naveen Verma**

**(Chairman)**