

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/483/2021

Arpana Kumari.....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 she booked flat bearing no.301, Block “C” in the project “Agrani Ashoka” for total consideration of Rs.34,20,000 in 2019 for which she had paid Rs.3,50,000/-. Since no development/construction has started till date, and the complainant was not able to contact the respondent company, she has 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.3,50,000/- .

On the last date of the hearing, the complainant’s husband Mr. Navneet Kumar reiterated the prayer for refund. 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 and hence the facts are being admitted.

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 their Director to refund the principal amount of Rs 3,50,000 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 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)