

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**

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

**Case No.CC/514/2021**

**Bipul Kumar..... Complainant**

**Vs.**

**M/s Agrani Homes Real Maketing Pvt. Ltd..... Respondent**

**Project: Daffodil City**

**O R D E R**

**31/10/2021:** This matter was last heard along with the batch of cases in the Full Bench on 21/10/2021.

The complainant's case is that he had booked a flat admeasuring 1450sq.ft in project Daffodil City, paid Rs 3,00,000 and filed the money receipt dated 12/10/2018 for Rs 1,00,000 and account statement dated 04/03/2021 for Rs 2,00,000 . Since the work has not started, he has requested for refund with compound interest @ 20%, litigation charges and compensation for physical and mental harassment.

Perused the records. The respondent has not filed any written submission. However, since Mr. Alok Kumar, Managing Director and Mr. Rana Ranveer Singh, Director of the respondent company were both present on the last date of hearing and they have not challenged the contention of the complainant and the facts are being admitted.

It is apparent from the documents filed by the complainant that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo motu proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development ) Act, 2016.

On the last date of hearing on 21/10/2021, the learned counsel of complainant submitted that the complainant has paid Rs 3 lakhs and now wants refund along with interest.

The Bench notes that the application of registration of Project titled name "Daffodils City" has been rejected by the Authority by its letter dated 27.8.2021. The Authority also notes that on the last date Mr. Alok Kumar, Managing Director of the respondent Company had requested for time to refund the due amount.

The Authority directs the respondent company and their Director to refund the principal amount of Rs.3,00,000/- along with interest calculated at the marginal cost of fund

based lending rate (MCLR) of State Bank of India applicable for one year to the complainant within 60 days from the date of order.

Sd/-  
R B Sinha  
(Member)

Sd/-  
Nupur Banerjee  
(Member)

Sd/-  
Naveen Verma  
(Chairman)