

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman
Case No. RERA/CC/518/2021

Bipul Kumar

.....Complainant

Vs

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

Project: Prakriti Vihar.

ORDER

14.9.2022

This matter was last heard on 25.8.2022.

The complainant had booked two plots in the project Agrani Prakriti Vihar on 10.12.2015 at the cost of Rs.11,64,952/- each. Against the total consideration amount of Rs.23,29,904/-, the complainant has paid Rs.12,82,000/- during the period 11.12.2015 to 28.9.2018. However, the complainant did not enter into MOU nor has started the development work. The matter has been filed for refund of principal amount with interest and compensation as well as legal expenses.

The complainant has filed copies of the ledger account of the respondent company and the bank statement showing the payments made by him.

Although, the respondent has not filed a reply, they had offered plot in village Parmanandpur, Sonapur to the complainants. The respondent has subsequently filed a petition stating that the complainant is not interested in the offer and the orders may be passed.

The Authority recalls that on the last date of hearing both the parties were requested to file written submission

after visiting the plot stating therein the response of the complainant and the offer made by the promoter.

Perused the records. The Authority notes that no written submission has been filed and therefore, concludes that the offer of the respondent is not acceptable to the complainant.

After having considered the submissions made the Authority hereby direct the company and the Directors of the respondent company to refund principal amount of amount of Rs.12.82 lakh along with interest calculated at marginal cost of fund based lending rates (MCLR) of SBI for three years plus two percent within 60 days from the date of passing of this order.

The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer.

With this direction/observation the matter is disposed of.

Sd/-
Naveen Verma
Chairman