

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble
Member Mr. S.D. Jha, RERA, Bihar.**

RERA/CC/524/2021

RERA/AO/199/2021

Mrs. Punam Kumari.....Complainant

Vs.

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

PROJECT:AGRANI HOMES DAFFODILS CITY

For Complainant: None

For Respondent: None

ORDER

09.02.2023 Hearing taken up. The complainant and the respondent both are absent. On the last date (27.01.2023) also they were absent.

The case of the complainant is that she booked a flat in the year 2015 on total consideration amount of Rs.4,70,090/-, out of which she paid Rs.45,000/- to the respondent – company on 8.2.2015 in cash. The project was to be completed within 36 months, but the respondent failed to honour the commitment. Hence, she wants refund of money along with interest and compensation.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notices issued. In fact, it was clearly mentioned in the last notice dated 27.01.2023 that “In case of non-compliance/non-appearance, the case will be disposed of on the next date on the basis of material available on the record.” Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

On going through the material available on the record, the Authority directs the respondent - company and its Director to refund the remaining amount of Rs.45,000/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rate of State Bank of India prevailing on the date on which the amount becomes due till the date of payment.

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

With the aforesaid observations and directions, this case is disposed of.

**Sd/-
S.D. Jha
Member**