

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Double Bench of Mr. Naveen Verma, Chairman
& Mrs. Nupur Banerjee, Members**

Case No. CC/553/2021,

Kumari Priyanka Sharma.....Complainant

Vs

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

PROJECT: - PG Town, Block-B

ORDER

04-02-2022 This matter was last heard on 20-01-2022.

The case of the complainant is that she had booked a Flat, bearing Flat No.505, in Block-B, in Agrani PG Town at Sarari, Danapur in 2018 and had paid Rs.5 lakh out of total consideration amount of Rs.14 lakh. She further submitted that on several occasions, when she approached the respondent company to know the status of the project she was assured that the project will start soon. She further submitted that since three years passed but no construction work was undertaken and registration with RERA was also pending and the respondent has closed their office, this matter has been filed seeking relief for there fund of the deposited amount with interest or adjustment of the amount with company's asset/land situated under Patna Municipality.

The complainant has placed on record money receipt dt.29-12-2018 for Rs.5,00,000/-, issued by the respondent company in respect of payments made.

The respondent has not filed any specific reply in this case. However, Mr. Alok Kumar, Managing Director of the respondent company was present on the last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

During the last hearing on 20-01-2022,the complainant had submitted that since no work was done in the project, she wanted refund of the deposited money with interest.

Mr. Alok Kumar, MD of respondent company, present during last hearing had offered the proposal of land/flat to the complainant but complainant reiterated her prayer for refund with interest.

The Bench observes that the application of registration of Project “PG Town” has been rejected by the Authority by order dated 02.09.2021.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots without registering the real estate project with RERA for which Suo Motu proceeding be

initiated against the respondent company under Section 59 of the Real Estate (Regulation and Development) Act, 2016.

After considering the documents filed and submissions made, the Bench hereby directs the Respondent Company and their Directors to refund the principal amount of Rs.5 lakh (Five Lakh) 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.

With these directions and observations, the matter is disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

Nupur Banerjee
(Member)