

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/CC/683/2019

Biresh KumarComplainant

Vs.

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

Project: Patliputra Enclave

27.09.2021

29.11.2021

ORDER

This matter was last heard along with the batch cases before the full bench on 06.09.2021.

The case of the complainant is that he booked a 3 BHK flat No.301, having a super built up area of 1310 sq. ft. on 28.10.2016, in the proposed project "Patliputra Enclave" of the respondent company and deposited Rs. 9,00,000/- (Nine Lakhs Only) as an advance through cheque. The complainant has paid Rs.5,00,000/- (Five Lakhs) vide cheque no. CNR 330938 dated 28.10.2016, and Rs.4,00,000/- (Four Lakhs) vide cheque no. CNR 330939 dated 01.11.2016, for which money receipt No.141 dated 28.10.2016, was issued. The complainant submitted that since then no development/ construction of project took place, and therefore he applied for cancellation of flat on 21.10.2019, and requested for refund of booking amount along with interest.

Perused the records of the case. No reply has been filed by respondent company. However, Mr. Alok Kumar, Managing Director of the respondent company was present on last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

The Bench notes that the respondent company have themselves withdrawn their application for registration of Project

“Patliputra Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.

The Authority directs the respondent company and their Directors to refund the principal amount of Rs. 9,00,000/- 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 three years or more plus two percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

With these directions, the matter stands disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

R B Sinha
(Member)

Sd/-

Nupur Banerjee
(Member)