

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

2nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna - 800023

**Before the Double Bench of Hon'ble Chairman, Mr. Naveen Verma &  
Hon'ble Member, Mrs. Nupur Banerjee**

**Case No.:- RERA/CC/687/2021**

**Richa Raj.....Complainant**

**Vs**

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

**Project: PG Town Block G**

**24.02.2022**

**ORDER**

This matter was last heard before Double Bench on 25.01.2022.

The case of the complainant is that she booked a flat bearing flat no. 608, in Project – PG Town Block - G, for a total consideration of Rs. 17,24,250/- against which she paid Rs. 15,52,231/-. The respondent has not started the construction of the project till date and hence, the complainant has filed the present case seeking relief for refund of the money paid with interest and additional compensation of Rs. 10,00,000/- for mental harassment.

The complainant has placed on record Aadhar card of the complainant, M.O.U. dated 16/08/2019, KYC dated 28/09/2017, money receipt no. 2337 for Rs. 10,000/- dated 26/08/2017, money receipt no. 2336 for Rs. 40,000/- dated 26/08/2017, money receipt no. 2335 for Rs. 40,000/- dated 26/08/2017, money receipt no. 2334 for Rs. 40,000/- dated 26/08/2017, money receipt no. 2333 for Rs. 1,20,000/- dated 26/08/2017, money receipt no. 2332 for Rs. 50,000/- dated 26/08/2017, money receipt no. 2241 for Rs. 2,00,028.75 dated 28/06/2017, money receipt no. 2240 for Rs. 3,00,000/- dated 28/06/2017, money receipt no. 2108 for Rs. 2,50,000/- dated 28/04/2017 and money receipt no. 2107 for Rs. 2,50,000 dated 28/04/2017.

Perused the record. The respondent has not filed any 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.

The complainant had reiterated her request for refund of his deposit on the last date of hearing.

The Bench notes that the project is not registered. It is apparent from the document filed by the complainant that the respondent has violated section 3 of the Real Estate (Regulation and Development) Act, 2016 and directs that Suo Motu proceeding U/s 59 of the Act may be initiated against the respondent.

The Bench directs the Respondent Company and its Directors to refund the amount of Rs. 15,52,231/- to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for two years from the date of deposit to the date of refund within sixty days of issue of this order.

The complainant is at liberty to press the claim for compensation before the Adjudicating Officer.

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

Sd/-  
Nupur Banerjee  
Member

Sd/-  
Naveen Verma  
Chairman