

**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/720/2019**

**Saheb Lal Singh .....Complainant**

**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 initially booked a 3 BHK flat having a super built up area of 1250 sq. ft. on 01.11.2015, in the proposed project "Agrani Golden Hills" of respondent company and deposited Rs. 11,00,000/- (Eleven Lakhs Only) as an advance through cheque. The complainant had paid Rs.11,00,000/- (Eleven Lakhs) vide cheque no. CNR 773183 dated 01.11.2015, for which money receipt No.228 dated 02.11.2015, was issued. After one and half year he was informed by the respondent company that proposed project has been closed and, therefore, on the assurance of marketing manager of Agrani Homes Pvt. Ltd. he booked a 3BHK flat bearing flat no.105, having a super built up area of 1250 sq. ft., in the proposed project "Patliputra Enclave" of the respondent company wherein his earlier consideration amount of Rs. 11,00,000/- (Eleven Lakhs) was adjusted. The total consideration amount to be paid was Rs.20,00,000/- (Twenty Lakhs). The complainant has further paid Rs. 5,00,000/- (Five Lakhs) vide cheque no. CNR 574173 dated 27.09.2016, for which money receipt no.137 dated 08.10.2016, was issued. Since then the complainant has been pursuing with the promoter for construction of the project as he had put all his retirement savings for this purpose. After having found

that no development/ construction of project has taken place and learning about the various cases against the respondent company, the complainant applied for cancellation of flat on 21.10.2019, and requested for refund of booking amount along with interest. He has filed a copy of the MOU dated 23.09.2016, that was entered into with the respondent company.

Perused the records of the case. The Bench notes that the respondent company have not complied with the directions issued on the last date of hearing.

The Bench notes that Mr. Alok Kumar, Managing Director of the respondent company was present on the 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, therefore, directs the respondent company and their Directors to refund the principal amount of Rs. 16,00,000/- 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. The complainant is at liberty to approach the Adjudicating Officer for his claim of compensation.

With these directions, the matter stands disposed of.

Sd/-

**Naveen Verma**  
(Chairman)

Sd/-

**R B Sinha**  
(Member)

Sd/-

**Nupur Banerjee**  
(Member)