

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/744/2021

Mukti Narayan Gautam.....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 he booked a flat bearing flat no. 508, in Project – PG Town Block - G, for a total consideration of Rs. 15,67,500/- against which he paid Rs. 14,80,368/-. 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.

The complainant has placed on record M.O.U. dated 01/11/2017, KYC, money receipt no. 2123 for Rs. 4,21,000/- dated 10/06/2017, money receipt no. 2150 for Rs. 3,00,000/- dated 19/06/2017, money receipt no. 2271 for Rs. 2,00,000/- dated 30/06/2017, money receipt no. 2276 for Rs. 3,00,000/- dated 30/06/2017, money receipt no. 2439 for Rs. 2,59,368/- dated 25/09/2017 and Aadhar card of complainant.

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 his 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. 14,80,368/- 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.

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

Sd/-

Nupur Banerjee
Member

Sd/-

Naveen Verma
Chairman