

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mrs. Nupur Banerjee, Member

Case No: RERA/CC/760/2021

Rashmi Srivastava

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani Prakriti Vihar

02/02/2023

ORDER

This matter was last heard on 03.11.2022 and was fixed for orders on 01.12.2022. However, due to pre- occupation of the Bench in other matter, order could not be pronounced on the date fixed.

In this matter, the complainant booked a plot located at Parmanandpur for a consideration of Rs.8.80 lakh alongwith service tax as applicable and she had paid Rs. 5.63 lakh but till date there is no development in the project. The complaint has been filed for refund of the paid amount along with interest and compensation.

The complainant has placed on record the copy of MOU and the money receipts.

Perused the record. No reply has been filed by the respondent. However, the representative of the respondent was present and has not challenged the contention of the complainant.

On the last date of hearing the learned counsel for the complainant reiterated the prayer for refund with interest.

The Bench observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, so, orders are being passed.

After considering the documents filed and submission made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 5.63 lakh to the complainant along with interest at the rate of marginal cost of fund-based lending rate (MCLR) of State bank of India as applicable for three years plus 2% from the date of taking the booking to the date of refund within sixty days of issue of this order.

As regards compensation, the complainant is at liberty to file a case before the Adjudicating Officer as per provisions of the Act.

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

Sd/-
Nupur Banerjee
(Member)