

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

Case No: RERA/CC/876/2021

Raj Kumari Devi

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: SBI Nagar and P.G.Township

03/02/2023

ORDER

This matter was last heard on 26.09.2022 and was fixed for orders on 14.11.2022. 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 two flats in two different projects i.e. in SBI Nagar Block-C bearing Flat No.110, on 1st floor of 1300 sq.ft. and the second in Block-B, P.G.Town bearing Flat No.304 on 3rd floor of 1300 sq.ft. for a consideration of Rs12,43,500/- and Rs.12,54,000/- respectively in the year 2016 and by 2016-2017 she had paid Rs. 8.60 lakh for Flat No.110 and Rs.12.07 lakh for Flat No. 304. Both the building was to be completed by 2018-2019 but till date it has not been completed. 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 the booking receipt of both the flats and the payment receipts.

Perused the record. No reply has been filed by the respondent however the representative of the respondent appeared before the Authority and has not challenged the contention of the complainant.

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

The Authority 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 Authority hereby directs the respondent company and its Directors to refund the principal amount of Rs.8.60 lakh and Rs.12.07 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 3% interest

from the date of taking booking till the date of refund within sixty days of issue of this order.

For 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)