

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Double Bench of Mr. Naveen Verma, Hon'ble Chairman and
Mrs. Nupur Banerjee, Hon'ble Member

Case No.CC/922/2020

Manish Manan..... Complainant

Vs.

M/s Agrani Homes Real Service Pvt. Ltd..... Respondent

Project: Agrani Residency

ORDER

25/01/2022: This matter was last heard along with the batch of cases in the Full Bench on 11/01/2022.

The complainant's case is that he had booked a three BHK flat in project Agrani Residency on 14/03/2018 by Memorandum of Understanding, paid Rs. 10,13,001/- . He has filed the money receipt dated 17/03/2018 for Rs 10,08,000/- and 04/04/2017 for Rs 5001/-. The complainant has requested for refund with compound interest of 18% per annum after learning that Agrani Residency has not been registered.

Perused the records. The respondent has not filed any written submission. However the representative of the respondent company has been present during hearings and has not refuted the claim of payment made by the complainant.

The Bench had given certain directions to the respondent during the hearing held on 11/01/2022. The Authority directs Mr. Alok Kumar, MD of the respondent company to take immediate action to raise resources to refund the allottee.

It is apparent from the record that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo motu proceedings may be initiated against the respondent

company under section 59 of the Real Estate (Regulation and Development) Act, 2016.

The Authority directs the Respondent Company and its Director to refund the principal amount of Rs. 10,13,001/- to the complainant along with interest at the rate of the marginal cost of fund-based lending rates (MCLR) of State Bank of India as applicable for two years from the date of taking the booking to the date of refund within sixty days of issue of this order.

With these directions, the matter stands disposed of.

Sd/-
Naveen Verma
(Chairman)

Sd/-
Nupur Banerjee
(Member)