

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Hon'ble

Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/96/2021

RERA/AO/60/2021

Mr. Kishan Complainant

Vs.

M/s Agrani Homes Pvt. Ltd Respondent

For the Complainant: In person

For the Respondent: None

Project: AGRANI SRI KRISHNA KUNJ

ORDER

24.02.2023

This case has come on transfer from the Adjudicating Officer.

Hearing taken up. The complainant is present. The respondent is absent. The record reveals that all through the respondent was absent in the proceedings held before the Adjudicating Officer.

The complainant submits that he booked a flat in the project on consideration amount of Rs.13,00,000/-, out of which he paid Rs.4,00,000/- on 8.3.2019, 17.3.2019, 27.3.2019, 10.4.2019 & 25.4.2019 respectively. The flat was to be handed over within the time frame but the respondent failed in handing over the possession within the time granted. Consequently, he sent a letter of cancellation to the respondent on 2.6.2018, a copy of which he has filed today, which is on the record. He wants refund of the amount already paid by him with interest.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

In the backdrop of the submissions advanced on behalf of the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Director to refund the amount of Rs.4,00,000/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at

two percent above the prevalent Prime Lending Rates (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment.

The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-
S.D. Jha
Member