

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case Nos. RERA/CC/01/2021

RERA/AO/01/2021

Brahma Lal Saw

...Complainant

Vs.

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

Project: - Agrani SBI Nagar

Order

03.01.2023

The matter was last heard on 22.12.2022 and fixed for orders on 28.12.2022 but, since 28.12.2022 was declared as a holiday, the matter has been listed "for orders" on 03.01.2023.

The case of the complainant is that he had booked flat No. 101 in Agrani S.B.I. Nagar project of the Respondent company in June 2016 and against consideration amount of Rs. 13,58,500/-, he had paid Rs. 11,45,500/-. The Respondent had assured the complainant that he would complete the project before December, 2018, but since construction work had not started, he has sent a letter for cancellation on 24.06.2020. The complainant states that having found no response to the said letter for cancellation, he has filed the matter for refund of deposited principal amount along with interest and compensation.

The complainant has filed a copy of the KYC and the copy of money receipts as well as cheques issued to the Respondent Company.

Perused the records. The Respondent has appeared once before the Adjudicating Officer but he has neither filed reply nor appeared before the Authority, hence ex-parte order is being pronounced.

On the basis of the documents filed by the complainant, his claim for payment of Rs. 11,45,500/- to the respondent is admitted.

Taking into view the submissions made by the complainant, the Authority hereby directs the respondent company and its Director Shri Alok Kumar to refund the principal amount of Rs.11,45,500/- to the complainant along with interest calculated at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus two percent from the date of deposit till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press the claim for compensation before the Adjudicating officer.

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

Sd/-
Naveen Verma
(Chairman)