

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case Nos. RERA/CC/1452/2020**

**RERA/AO/449/2020**

**Mrs. Lalita Kumari                      ...Complainant**

**Vs.**

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

**Project: - Agrani Sangeeta Kunj**

**Order**

**20.01.2023**

The matter was last heard on 03.01.2023.

The case of the complainant is that she had booked a flat in the project Agrani Sangeeta Kunj of the Respondent company on 30.11.2017 and had paid Rs. 3.50 lacs against consideration amount of Rs. 34,25,000/-.The complainant has submitted that the Respondent Company has not started construction work, although they had assured the complainant that they would complete the project by March, 2020. Since construction work had not started, the complainant had cancelled the booking and requested for refund of the amount paid. The complainant states that the complaint has been filed against the Respondent Company for refund of deposited principal amount along with interest and compensation.

The complainant has filed copy of the receipts issued by the Respondent Company and the copy of the letter of cancellation in which it is mentioned that refund would be made in four months.

Perused the records. The Respondent had appeared before the Adjudicating Officer on 19.03.2021 and had submitted that he was unable to refund the amount as his account had been frozen. However, the Respondent has not filed any reply. It is evident from the above statement and the document that the claim of the complainant has been admitted by the Respondent.

In the complaint filed by the complainant, it is also mentioned that the project Agrani Sangeeta Kunj is not registered with the Authority. Hence, the Authority hereby observes that from the documents filed by the complainant it appears that the booking of the flat has been made after the Act came into force in violation of Section 3 of the RERA Act, 2016 and, therefore, directs that suo-motu proceedings may be initiated against the respondent company.

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.3.50 lacs 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)