

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Case No. RERA/CC/84/2021

RERA/AO/52/2021

Mr. Gaurav Kumar

...Complainant

Vs.

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

Project: - Agrani P.G. Town

Order

24.03.2023

The matter was last heard on 13.03.2023.

The complainant had booked a flat in the project Agrani PG Town of the respondent company on 22.11.2017. He had paid Rs.14.56 lakh under one-time payment offer. Subsequently, he learnt that the project has not been approved, hence he filed the matter initially before the Adjudicating Officer.

Perused the record. The matter was transferred to the Authority in view of the judgment of Hon'ble Supreme Court of India in the case of M/s Newtech Promoters and Anr. Vs. State of U.P. &Ors.

The complainant has filed a copy of MOU and the money receipts, issued by the respondent company.

The respondent had appeared before the Adjudicating Officer and had assured to refund the amount. The respondent however, has neither appeared before the Authority nor filed any reply and hence, ex-parte orders are being pronounced.

The M.O.U. mentions that the amount of Rs. 12,80,353/- was paid by the complainant and in addition Rs. 1,53,647/- was paid by way of taxes and hence, the claim of the complainant of depositing Rs. 14.56 lakh is admitted.

The Authority notes that the bookings were made after the RERA Act, 2016 came into force without the project being registered with RERA and hence this matter may also be include in the suo-motu proceedings against the promoter in respect of project P.G. Town.

Taking into view the submissions made by the complainant and the documents filed by him, the Authority hereby directs the respondent company and its Directors Shri Alok Kumar and Shri Rana Ranvir Singh to refund the principal amount of Rs.14.56 lakh 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.

With this direction and observations, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)