

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**

**Case No. RERA/CC/897/2020**

**RERA/AO/259/2020**

**Prakash Kumar Gupta**

**...Complainant**

**Vs.**

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

**Project: - IOB Nagar**

**Order**

**24.03.2023**

The matter was last heard on 24.02.2023.

The case of the complainant is that he had booked a flat in the project IOB Nagar "N" block of the respondent company on 27.08.2018. He submits that he had paid Rs.3 lakh against the consideration amount of Rs. 22 lakh. However, he learnt that the project has not been approved by the competent authority, hence the complainant requested the respondent on 22.11.2019 to refund the amount. Subsequently, on refusal by the respondent, the matter has been filed for refund of principal amount, the interest and for compensation.

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

Perused the record. The matter was initially filed before the Adjudicating Officer, however, the same 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.

It is apparent from the record that the respondent as well as his counsel had appeared before the Adjudicating Officer but has not rebutted the contention of the complainant.

On the basis of the documents filed by the complainant his claim of Rs. 3 lakh is admitted.

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 to refund the principal amount of Rs.3 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.

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

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

Sd/-  
**Naveen Verma**  
(Chairman)