

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Bench of Mr. Naveen Verma, Chairman**  
**RERA/CC/1035/2020**  
**RERA/ AO/298/2020**

**Mr. Vijendra Kumar Jha**

**.....Complainant**

**Vs**

**M/s Agrani Homes Pvt. Ltd.**

**.....Respondent**

**Project: “ Kalawati Regency”.**

**ORDER**

**14.12.2022**

The complainant is present through video conferencing. The respondent is absent.

The complainant had filed the matter on 02.07.2020 for refund of Rs. 19.50 lacs deposited for a flat in the project Agrani Kalawati Regency in various instalments since 2014. He had filed a complaint in Form-N addressed to the Adjudicating Officer seeking refund and compensation. The matter was heard by the Adjudicating Officer, before whom the respondent had appeared and agreed to refund the principal amount to the complainant. The matter was, thereafter, transferred to this Bench 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.

Perused the records. In the online petition, the respondent has been named as Mr. Alok Kumar whereas the memorandum of

agreement attached by the complainant, shows the transaction was with M/s Agrani Home Pvt. Ltd. through its Director, Shri Alok Kumar. However, since the respondent had appeared before the Adjudicating Officer on many occasions and had raised the issue, the Authority presumes that the matter is indeed against the Company Agrani Home Pvt. Ltd. represented through the Director, Shri Alok Kumar. Nonetheless, the complainant would, however, file amendment petition for the records also showing the name of the project as mentioned in the proceedings of 29.11.2022.

The Respondent while having appeared on many occasions before the Bench of Adjudicating Officer, has not filed any reply, and hence the claim is admitted.

In view of the above submissions, the Authority hereby directs the Respondent Company M/s Agrani Home Pvt. Ltd. and the Directors to refund the principal amount of Rs.19.50 lacs along with interest at the marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus three percent within a period of 60 days of the issue of this order.

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

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

Sd/-  
( Naveen Verma)  
Chairman