

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

RERA/CC/1787/2020

RERA/AO/623/2020

Mrs. Ramrati Devi

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: - Agrani PG Town

ORDER

23.01.2023

The matter was last heard on 03.01.2023.

The case of the complainant is that she had booked a 3 BHK flat in the project Agrani PG Town of the respondent company and paid Rs. 15,00,000/- (Rs. Fifteen lacs) after taking personal loan from the Bank. She has submitted that she had paid some amount by cash also. The project was to be completed by June, 2021 but till date no information has been received about the project. She has filed the matter for refund of the deposit and compensation.

The complainant has filed copies of the money receipts and a copy of the M.O.U. entered with the respondent company.

On perusal of the record, it is observed that the respondent had appeared through Video conferencing when the matter was heard by the Adjudicating Officer. However, nobody had appeared on behalf of the Respondent before the Authority and hence, ex-parte orders are being pronounced.

The M.O.U. signed between the complainant and Mr. Rana Ranbir Singh, the Director of the company mentions that Rs. 14.60 lakhs was paid by the complainant against the total consideration of Rs. 16.60 lakhs. The claim of the complainant is that she had paid some amount by cash after the M.O.U. was signed on 21.9.2017 is not supported by the money receipts filed by her. Hence, the payment of Rs. 14.60 lakhs by the complainant has been admitted.

The complainant ought to have sent letter for cancellation to the respondent company before approaching the Authority. However, as the matter has been taken up for hearing, the order is being passed.

Taking into view the documents filed and the submissions made by the complainant, the Authority hereby directs the respondent company and its Director Shri Rana Ranbir Singh to refund the principal amount of Rs.14.60 lakhs 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 taking payment till the date of refund within sixty days of issue of this order.

The claim of interest taken on personal loan to make the deposit, falls in the nature of compensation for which the complainant may approach the Adjudicating Officer.

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

Sd/-
Naveen Verma
(Chairman)