

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mrs. Nupur Banerjee, Member**

**Case No: RERA/CC/160/2022**

**Intekhab Alam**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: PG Towns**

**Present: For Complainant: Mr. Ishtiyaque Hussain, Advocate**

**For Respondent: None**

**06/04/2023**

**ORDER**

In this matter, the complainant has booked a flat bearing Flat No.107 on 1<sup>st</sup> floor measuring 1300 sq.ft. in the said project on 15.11.2017 for a total consideration amount of Rs.22.00 lakh against which the complainant has paid Rs.7.00 lakh through different cheques. It is stated that at the time of booking it was promised by the respondent company that the construction of the project shall be started shortly and the possession will be given within 36 months with a grace period of 6 months. The complainant requested several times to the respondent to prepare an MOU but the same was not prepared. Even after booking of the flat in the year 2016 up-till-now there is no progress in construction work. Therefore, he has prayed to direct the respondent to refund principal amount of Rs.7.00 lakh with interest.

The complainant has placed on record the copy of the money receipts.

Perused the record. No reply has been filed by the respondent.

Today also the complainant reiterated his prayer for refund with interest.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench so, in the interest of justice order is being passed on the basis of documents available on record.

In the light of the documents placed on record and submission made and considering that the respondent has taken the economic benefit of the consideration amount paid by the complainant in lieu of booking of the alleged flat, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.7.00 lakh to the complainant along with interest at the rate of marginal cost of fund-based lending rate (MCLR) of State Bank of India as applicable for three years plus 2% interest from the date of taking booking till the date of refund within sixty days of issue of this order.

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

**Sd/-**

**(Nupur Banerjee)**  
**Member**

