

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

Case No: RERA/CC/476/2021

Sumeet Kumar Sharma

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

.. ...Respondent

Project: Agrani Daffodils City, Block-A

28/03/2023

ORDER

In this matter, the complainant has booked a flat bearing Flat No.202 on 2nd floor, having an area of 1350 sq.ft. in Block-A in the proposed project Agrani Daffodils City on 01.03.2019 and out of total consideration of Rs.25.00 lakh he has paid Rs.12.00 lakh. Thereafter MOU was entered into between the complainant and the respondent company on 01.03.2019. It is mentioned in para-4 of the MOU that the construction of the project shall be completed within a period of 30 months with a relaxation period of 6 months but the respondent has not started any construction work in the project. Therefore, he has prayed to direct the respondent to refund the principal amount of Rs.12.00 lakh with interest and compensation.

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

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

The Bench notes that since it is a case for refund of the principal amount with interest and the respondent has not filed any reply, 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.12.00 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.

As regards compensation, the complainant is at liberty to file a case before the Adjudicating Officer as per provisions of the Act.

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

Sd/-

Nupur Banerjee
(Member)

