

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Double Bench of Mr. Naveen Verma, Chairman

& Mrs. Nupur Banerjee, Member

Case No. CC/736/2021

Kalpana Kumari & Rahul Kumar.....Complainant

Vs

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

Project: Agrani Yamuna Enclave

ORDER

26-04-2022

27-04-2022

This matter was last heard on 05-04-2022 along with other batch cases before the Double Bench.

The complainants booked a flat bearing No. 305 on 3rd Floor, block- A in the project measuring 840 sq. ft, along with one reserve car parking, situated at Mouza- Mainpura, P.S- Danapur, Patna. The total consideration was Rs. 23,01,000/- (Twenty Three Lakh One Thousand Rupees Only), against which they paid Rs. 12 lakhs at the time of booking of the flat on 20.12.2019. The complainant has filed this case as no work has been done and prayed for a refund of the principal amount paid along with the twenty percent compound interest.

The complainant has placed on record a Memorandum of Understanding dated 20.12.2019 signed between the parties, money receipt duly acknowledged by the respondent company for Rs.2,00000/- (Rupees Two lakhs rupees) and Rs.10,00000/- (Rupees Ten lakhs rupees) on 20.12.2019.

Perused the record. Despite the direction of the Bench to file a reply, neither any reply has been filed by the respondent nor have they rebutted the submission of the complainant.

On the last date of the hearing, the representative of the complainant prayed for a refund of the deposited amount.

The Authority observes the respondent failed to handover possession of the flat in reasonable/ agreed time and the complainant have a right to claim refund of their amount.

Having heard the submissions of the complainant and in the absence of any response from the respondent, the Authority directs the respondent company and its Directors to refund the principal amount of Rs.12,00000/- (Rupees Twelve Lakh only) to the complainant along with interest at the rate of the marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for one year from the date of taking the 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)

Sd/-

Naveen Verma
(Chairman)