

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

**Case No: RERA/CC/1077/2021**

**Rakesh Prasad Sinha & Abhishek Ranjan ...Complainant**

**Vs.**

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

**Project: Daffodils City**

**18-10-2022**

**ORDER**

This matter was last heard on 30.08.2022

In this matter the complainant booked a flat bearing no. 203 in the project Daffodils city in 2019 and had paid Rs. 5,00,000/-. The complainant has filed the complaint case as the respondent failed to handover the plot. The complaint has been filed for refund of the paid amount along with interest @20% p.a.

The complainant has placed on record copy of KYC dated 30/01/2020, MOU, account ledger and money receipts.

Perused the records. No reply has been filed by the respondent. The representative for the respondent was present on the last date of hearing and has not challenged the contention of the complainant.

On last date of hearing learned counsel for the complainant has reiterated his prayer and complaint petition.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent booked the flat without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

The Bench observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, orders are being pronounced.

After considering the documents filed and submission made, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 5,00,000/- 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 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)