

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman

Case Nos. RERA/CC/1138/2020

Sharmila Kumari

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: - Agrani SBI Nagar

ORDER

17.05.2022

The matter was last heard on 21.04.2022 and 17.05.2022.

The case of the complainant is that she had booked a flat bearing no 401 in the project Agrani SBI Nagar in 2017 for which she had paid Rs.11,00,000/- between 23.09.2017 to 27.01.2018 against the total consideration amount of Rs.16,00,000 to the respondent. She further submitted that the M.D of the respondent company not getting the flat registered. Hence, she filed this instant complaint and prayed for refund of the amount with interest.

The complainant has placed on record a copy of KYC, copy of money receipt of Rs.11,00,000/- issued by the respondent.

On last date of hearing, the husband of the complainant reiterated his prayer and submitted that he is not interested in any offer proposed by the respondent. The Bench observed that the respondent has filed a time petition and directed the respondent to file reply if they have any objection.

Perused the record. The Bench notes that the respondent has not filed any reply.

It is apparent from the record that notwithstanding the fact that the project was not registered, the promoter went ahead with new

booking in 2017. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. This matter may be included in the suo motu proceedings against the respondent under section 59 of the Real Estate (Regulation and Development) Act, 2016.

After considering the documents filed and submissions made, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs. 10,00,000 lacs to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus one percent from the date of taking the booking within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)