

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman

RERA/CC/1422/2020
RERA/AO/429/2020

Mrs. Usha Kumari

.....Complainant

Vs

M/s Agrani Homes Pvt. Ltd.

.....Respondent

Project: Agrani Sunrise City

23.12.2022:

ORDER

This matter was earlier heard by the Adjudicating Officer before it was transferred in view of the judgment of the Hon'ble Supreme Court of India in the Newtech matter. However, neither of the parties have appeared before the Authority. Hence, this matter is being disposed on the basis of records available.

The case of the complainant is that she had booked a flat in the project Agrani Sunrise City for which MOU was signed on 14.03.2016. This matter has been filed for refund of principal amount along with interest and compensation.

The complainant has filed copies of the MoU and the receipts issued by the respondent company.

It appears from the record that the complainant has been represented through her counsel on some occasions and the respondent had also appeared on some dates.

The respondent has not filed any reply.

On perusal of the documents filed by the complainant it is observed that the MOU mentions that Rs.8 lakh has been paid by the complainant. The complainant has stated in her petition that she has paid total Rs.16 lakh but no document has been filed to substantiate this claim. The receipt of the Bank statement as well as MOU shows Rs.8 lakh and this claim is being admitted although no reply has been filed by the respondent company.

The Authority therefore, directs the respondent company and its Director Shri Alok Kumar to refund the principal amount of Rs.8.00 lakh to the complainant along with interest calculated at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus 2% within 60 days from the date of issue of this order.

The complainant is at liberty to press her claim for compensation before the Adjudicating Officer.

With these directions, the matter is disposed of.

Sd/-
(Naveen Verma)
Chairman