

REAL ESTATE REGULATORY AUTHORITY, BIHAR

2nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna -
800023

**Before the Double Bench of Hon'ble Chairman, Mr. Naveen
Verma & Hon'ble Member, Mrs. Nupur Banerjee**

Case No.:- RERA/CC/1598/2020

Usha Devi and Anita Devi.....Complainant

Vs

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

Project: Crystal Avenue

17.02.2022

ORDER

This matter was last heard before Double Bench on 20.01.2022.

The case of the complainants is that they booked a Plot no. B-20, in Project – Crystal Avenue, for a total consideration of Rs. 18,00,000/- as per KYC out of which the complainant has paid Rs. 13,00,000/-. The respondent however did not undertake work in the project. The complainants have got a refund of only Rs. 2,50,000/-. Hence they have filed the present case seeking relief for refund of the money paid with interest.

The complainant has placed on record KYC, Application form dated 16/04/2018, application for cancellation dated 18/06/2019, money receipt no. 3720 for Rs. 1,00,000/-, money receipt no. 2949 for Rs. 1,00,000/-, money receipt no. 2903 for Rs. 1,50,000/-, money receipt no. 3721 for Rs. 3,00,000/-, money receipt no. 2950 for Rs. 1,00,000/-, money receipt no. 2910 for Rs. 40,000/-, money receipt no. 2909 for Rs. 60,000/-, money receipt no. 3155 for Rs. 1,00,000/-, money receipt dated 06/06/2018 for Rs. 2,00,000/-, money receipt dated 16/04/2018 for Rs. 1,50,000/- and transaction details.

The respondent has not filed any reply in this case. However, Mr. Alok Kumar, Managing Director of the respondent company was present on the last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

The Bench notes that the project is unregistered and it is apparent from the document filed by the complainant that the respondent has violated section 3 of the RERA Act, 2016 and directs that Suo Moto proceeding U/s 59 of the Act may be initiated against the respondent.

The Bench recalls the submissions of the complainants on the last date of hearing about the urgent need for refund of their deposited amount. The MD of the respondent company was directed to file his reply within a week. Since the respondent have not complied with the directions of the Bench a fine of Rs 10,000/- is imposed upon them

The Bench directs the Respondent Company and its Directors to refund the amount of Rs. 10,50,000/- to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for two years from the date of deposit to the date of refund within sixty days of issue of this order.

With these direction and observation, the matter is disposed of.

Sd/-

Nupur Banerjee

Member

Sd/-

Naveen Verma

Chairman