

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Full Bench of Mr. Naveen Verma, Chairman,
Mr. R.B. Sinha & Mrs. Nupur Banerjee, Members**

Case No. RERA/CC/455/2019

Smt. Anju Complainant

Vs.

M/s Agrani Homes Pvt. Ltd. Respondent

Project: Impulse Enclave

27.09.2021

03.12.2021

ORDER

This matter was heard along with the batch cases before the full bench on 05.07.2021 and 06.09.2021. Though the complainant was not present on the last date of hearing but she was present on 05.07.2021.

The case of the complainant is that she booked a flat No.106, having a super built up area of 1320 sq. ft. in the year 2013, in Block A of the proposed project "Impulse Enclave" of the respondent company and deposited Rs.14,43,260/- (Rupees Fourteen Lakh Forty-three thousand Two hundred Sixty Only) as an advance through cheque and RTGS. The total amount of consideration to be paid was Rs.17,52,530/- (Rupees Seventeen Lakh Fifty-two thousand five hundred thirty). The complainant has paid Rs.7,00,000/- (Rupees Seven Lakhs) through RTGS dated 31.07.2013, Rs.3,75,000/- (Rupees Three Lakh Seventy-five thousand) vide cheque no. BOB 512772 dated 31.07.13, Rs.3,68,260/- (Rupees Three Lakh Sixty-eight thousand two hundred sixty) vide cheque no.SBI 231023 dated 05.08.13 for which money receipt no.912 dated 01.08.2013 was issued. The complainant submitted that since then no development/ construction of project took place she prays for cancellation of flat and refund of the principal amount along with interest. She has filed a copy MOU that was entered into with the respondent company in the year 2013.

Perused the records of the case. No reply has been filed by respondent company. However, Mr. Alok Kumar, Managing Director of the respondent company was present on all the dates of hearing and has not challenged the submission of the complainant and the facts are being admitted.

The Bench notes that the respondent company have themselves withdrawn their application for registration of Project “Impulse Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.

The Authority, therefore, directs the respondent company and their Directors to refund the principal amount of Rs.14,43,260/- 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 or more plus two percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

With these directions, the matter stands disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

R B Sinha
(Member)

Sd/-

Nupur Banerjee
(Member)