

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

Mrs. Nupur Banerjee, Member

Case No: RERA/CC/464/2021

Sandhya Sinha

...Complainant

Vs.

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

...Respondent

Project: Highway City

Present:	For Complainant:	In-person
	For Respondent:	Adv. Sumit kumar
		Mr. Satwik Singh,
		Legal Representative

ORDER

26.04.2022

This matter was last heard before Double Bench on 05.04.2022.

The case of the complainant is that he booked flat no:- 206 admeasuring 930sqft of the project Highway City and paid a consideration of Rs.13,63,500 out of Rs.15,50,000. Since there was no development/construction of the project in the last two years or so, the complainant has prayed for refund of booking amount along with interest and compensation.

The complainant has placed on record a copy KYC dated 11.06.2019, copy of receipt no: 3972, 4056, 4095 & 4112, copy of M.O.U. dated 12.09.2019.

Perused the record. The respondent has not filed any reply.

On the last date of hearing, Legal Representative of the respondent appeared before the Bench and has not refuted the submission of the complainant.

It is also apparent from the documents filed by the complainant that notwithstanding the fact that the project was not registered, the promoter went ahead with fresh bookings in violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo Motu proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development) Act, 2016.

Having heard the submissions the Authority directs the respondent company and their Directors to refund the principal amount of Rs.13,63,500/- 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 one year from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press the claim for compensation before the Adjudicating officer under relevant sections of the Act.

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

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)