

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/526/2019

Rekha Devi.....Complainant

Vs

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

Project: PG Town

17.02.2022

ORDER

This matter was last heard before Double Bench on 20.01.2022.

The case of the complainant is that she booked a flat no. 104, in Project - Agrani P.G.Town, Block – B, for a total consideration of Rs. 16,00,000/- as per KYC out of which the complainant has paid Rs. 14,00,000/-. As the respondent has not started the construction of the project till date, the complainant has filed the present case seeking relief for refund of the money paid with 18% compound interest.

The complainant has placed on record Aadhaar card of the complainant, M.O.U. dated 09/08/2019, KYC and Application form dated 22/09/2018, money receipt no. 3565 for Rs. 2,00,000/- against cheque no. 947108, money receipt no. 3510 for Rs. 5,00,000/- against cheque no. 947105, money receipt no. 3497 for Rs. 6,00,000/- against cheque no. 947104 and money receipt dated 22/09/2018 for Rs. 1,00,000/-.

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 not registered. It is apparent from the document filed by the complainant that the respondent has violated

section 3 of the Real Estate (Regulation and Development) Act, 2016 and directs that Suo Moto proceeding U/s 59 of the Act may be initiated against the respondent.

The complainant had reiterated her request for refund of her deposit on the last date of hearing. The MD of the respondent company had assured to make the refund.

The Bench takes note of the submissions of both the parties and directs the Respondent Company and its Directors to refund the amount of Rs. 14,00,000/- 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