

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/614/2021

Rakesh Kumar & Ors.....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 he booked a flat jointly in his and his wife's name bearing flat no. 601, in Project - Agrani P.G.Town, Block – C, for a total consideration of Rs. 29,00,000/- . The complainant has paid Rs. 2,70,000/-. The respondent has not started the construction of the project till date and hence , the complainant has filed the present case seeking relief for refund of the money paid with interest, compensation and cost of litigation. The complainant also submitted that the project has not received clearance from RERA and Patna Municipal Corporation.

The complainant has placed on his and his wife's Aadhar card, PAN card of the complainant's wife, M.O.U. dated 08/07/2019, KYC dated 27/03/2018, money receipt no. 3115 dated 27/06/2018 for Rs. 2,70,000/- and supporting detail of the transaction made.

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 his request for refund of his deposit on the last date of hearing.

The Bench directs the Respondent Company and its Directors to refund the amount of Rs. 2,70,000/- 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.

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

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

Sd/-

Nupur Banerjee

Member

Sd/-

Naveen Verma

Chairman