

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mrs. Nupur Banerjee**

**Case Nos. RERA/CC/785/2021**

**Anil Kumar**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: - Agrani Sampatchak**

**ORDER**

**01.08.2022**            The matter was last heard on 20-07-2022.

The case of the complainant is that he had entered into Memorandum of Understanding dated 24-02-2015 for the booking of a flat at 3<sup>rd</sup> floor, admeasuring 1222 sq.ft. in the project Agrani Sampatchak by making total payment of Rs.8,24,720/- out of total consideration of Rs.10,30,900/-. He further submitted that since the construction/development of the project not started by the respondent company, he filed the present case for refund of booking amount along with interest and compensation.

The complainant has placed on record, copy of money receipts issued by the respondent company, against payment of Rs.8,24,720/- along with Memorandum of Understanding, dated 24-02-2015.

Perused the records. No reply has been filed by the respondent. However their representative has been present on the last date of hearing and have not refuted the claim.

On the last date of hearing the complainant has submitted that the complainant retired from India Army Force. He booked a flat and out of total consideration money of Rs.10,30,900/-, he paid Rs.8,44,720/. It was promised to him that he would be given possession of the flat in November, 2016 but till date the

possession of flat has not been given. He took his retirement on 31st July, 2016. There was no development work at the project site. He is willing to let off the interest amount. He wants only the principal amount.

Mr. Satwik Singh, Legal Representative, who joins proceeding late, submitted that they will give offer for the plot which the complainant denied and submits he wants refund only.

The Bench takes note of that complainant is willing to let off the interest amount.

In the light of submissions made, perusal of case records and considering the prayer of complainant for refund, the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.8,44,720/- to the complainant along with interest at the rate of marginal cost of fund based lending rate (MCLR) of State Bank of India as applicable for three years plus three percent 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 A.O.

Regards, complainant submissions made regarding waiving off interest on the principal amount on the last date of hearing is concerned, it is left out upon complainant whether he want to take interest on principal amount deposited or not as levied in the direction part above.

With the above direction, this complaint petition is disposed of.

Sd/-  
**Nupur Banerjee**  
**(Member)**