

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/915/2020

Archana Kumari Sinha Complainant

Vs.

M/s Agrani Homes Pvt. Ltd. Respondent

Project: Impulse Enclave

27.09.2021

03.12.2021

ORDER

This matter was last heard along with the batch cases before the full bench on 06.09.2021.

The case of the complainant is that she booked a flat No.406, having a super built up area of 1320 sq. ft. on 28.08.2013, 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. 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.4,50,000/- (Rupees Four Lakh Fifty Thousand) vide cheque no.008795 dated 08.08.2013, Rs.2,50,000/- (Rupees Two Lakh Fifty thousand) vide cheque no.008796 dated 10.08.2013, for which money receipt no.920 dated 08.08.2013 was issued and Rs.5,00,000/- (Five Lakh) vide cheque no.384390 dated 13.08.2013, Rs.2,43,260/- (Rupees Two Lakh Forty-three thousand Two hundred Sixty) vide cheque no.384391 dated 17.08.2013 for which money receipt no.462 dated 10.08.2013 was issued. Since no development /construction of project took place, complainant prays for refund of booking amount along with interest on it. He has filed a copy of the MOU dated 28.08.2013, that was entered into with the respondent company.

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The Bench notes that the respondent company have themselves withdrawn their application for registration of Project “Impulse Enclave” and the Authority has since rejected their application by its letter dated 23.06.2021.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