

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

Case Nos. RERA/CC/939/2020

Uttam Kumar

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: Agrani PG-Town

30-08-2022

O R D E R

This matter was heard on 02-08-2022.

The case of the complainant is that he had booked a flat in the project PG Town on 18-04-2018. He had paid Rs. 10,00,000/-. The complainant has stated the respondent has refunded Rs. 1,50,000/- to him. The complaint has been filed for refund of the remaining principal amount along with interest

The complainant has placed on record copy KYC dated 18-04-2018, money receipts for Rs. 10,00,000/-, application form dated 18-04-2018 and cancellation letter dated 01-06-2018.

On the last date of hearing the representative of the respondent had submitted alternate offer was proposed to the complainant but his response was awaited.

The Bench directed the respondent to file the response of the complainant. However, the respondent has not filed any reply and hence the claim of the complainant is being admitted and order is being passed on the basis of documents available on record.

The Authority notes that the promoter has apparently violated section 3 of the RERA Act, 2016 and directs that a suo motu proceeding under Section 59 of the Act be initiated against them.

The Bench notes that a penalty of Rs. 5,000/- was imposed on the respondent on the last date of hearing for not complying with the order of the Bench. The Bench directs the respondent to pay the penalty within two weeks.

After considering the documents filed, the Authority hereby directs the respondent company and their Directors to refund the principal amount of Rs. 8,50,000/- to the complainant along with interest on the total paid consideration i.e. Rs. 10,00,000/- at the rate of marginal cost of fund-based lending rates (MCLR) of State Bank of India as applicable for three years from the date of taking the booking within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)