

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

Case Nos. RERA/CC/947/2020

Sucheta Jha

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: - IOB Nagar, Agrani

ORDER

08.08.2022

18.08.2022

The matter was last heard on 21.06.2022

The case of the complainant is that she booked a flat in the project IOB Nagar Block M in 2014. The complainant has paid Rs. 14,00,000/- out of the total consideration of Rs. 15,75,000/- to the complainant. The complainant requests for refund of paid consideration with interest and compensation.

The complainant has placed on record copy of M.O.U., money receipts and Bank Statement.

Perused the record. No reply has been filed by the respondent.

On the last date of hearing the complainant reiterated her prayer and submitted that the respondent had failed to comply with the order of the Bench. The Bench notes that a penalty of Rs. 5,000/- was imposed on the respondent. The respondent is directed to deposit the amount of penalty within a week.

The Bench observes that there is no merit in keeping the matter pending, so, orders are being passed on the basis of documents

available on record. The representative of the respondent had earlier appeared before the Bench and did not challenge the submission of the complainant and hence the facts stated by her are being admitted.

The Bench observes that the complainant has not sent any letter for cancellation of her booking to the promoter. The complainant ought to have sent a cancellation letter to the respondent and there after approached the Authority only if the promoter had failed to respond to such request. However, since the matter was taken up for hearing, orders are being passed.

After considering the documents filed and submission made by the complainant, the Bench hereby directs the respondent and its Directors to refund the paid consideration of Rs. 14,00,000/- 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 plus four percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for her claims, which are in the nature of compensation from the respondent company.

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

Sd/-
Naveen Verma
(Chairman)