

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

Case No: RERA/CC/960/2021

Abhishek Kumar

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani SBI Nagar

17-10-2022

ORDER

This matter was last heard on 29.08.2022

In this matter the complainant booked a flat bearing no. 306 in the project Agrani SBI Nagar block E in 2018 and had paid Rs. 14,00,000/-. The complainant has stated that the respondent has transferred the booking in 2019 from block –e to block – C in flat no. 207. The complainant has filed the complaint case as the respondent failed to construct the project. The complaint has been filed for possession.

The complainant has placed on record copy of MOU dated 02/07/2019, money receipts and copy of KYC.

Perused the records. The complainant has filed a petition to amend the prayer of the complaint petition from possession to refund with interest. No reply has been filed by the respondent. The representative for the respondent was present on the last date of hearing and has not challenged the contention of the complainant.

On last date of hearing the learned counsel for the complainant has reiterated the complaint petition and prayed for refund with interest and submitted that the

complainant has sent a cancellation letter to the respondent.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent booked the flat without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

Having heard the submissions, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs. 14,00,000/- 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 from the date of taking booking till the date of refund within sixty days of issue of this order.

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

Sd/-
Nupur Banerjee
(Member)