

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

Mrs. Nupur Banerjee, Member

Case No: RERA/CC/1641/2020

Ashok Kumar Singh

...Complainant

Vs.

M/s. Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani PG Town

Present: For Complainant: Adv. Sanjay Sinha

For Respondent: Adv. Prabhakar Nath Rai

Mr. Alok Kumar, MD

ORDER

12.04.2022

26 .04.2022

This matter was last heard before Double Bench on 23.02.2022.

The case of the complainant is that he booked a flat in PG Town on the consideration amount of Rs. 17,00,000/- plus GST (Seventeen Lacs only) in 2018 for the flat but no agreement was executed till the time of payment. The complainant has filed this matter for refund of booking amount along with interest.

The complainant has placed on record copy of receipts of total amount of Rs.16,59,998/-.

Perused the record. Neither any reply has been filed by the respondent nor has he refuted the submission of the complainant.

On the last date of hearing, the complainant reiterated his prayer for refund of the deposited amount with interest.

It is apparent from the documents filed by the complainant that notwithstanding the fact that the project was not registered, the promoter went ahead with new bookings in 2018. This is a blatant violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Suo motu proceedings may be initiated against the respondent company under section 59 of the Real Estate (Regulation and Development) Act, 2016.

Having heard the submissions of both the parties the Authority directs the respondent company and their Directors to refund the principal amount of Rs.16,59,998 /- 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 two years from the date of taking the booking till the date of refund within sixty days of issue of this order.

Nupur Banerjee
(Member)

Naveen Verma
(Chairman)