

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

Case Nos. RERA/CC/1514/2020

RERA/AO/492/2020

Mrs. Bhawana Jha

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: - IOB Nagar

ORDER

19.12.2022

The matter was last heard on 30.11.2022. The complainant is present. The respondent is absent again and hence, ex - parte orders are being passed.

The case of the complainant is that she had booked a flat in IOB Nagar Block-N on 04.08.2017 and entered into an MOU with the respondent company. Against consideration amount of Rs. 20 lakhs, the complainant had paid Rs. 15,67,500/-, as mentioned in the MOU. She has stated that since the construction work was not started, she had filed the matter for refund of the deposited amount along with interest, against the consideration amount of Rs. 15,67,500/-.

Perused the records. The complainant has not filed copy of letter of cancellation. The complainant

ought to have approached the Authority only after she had sent a letter of cancellation and did not receive a positive response. However as the matter has been heard on number of occasions by the Adjudicating Officer and the respondent has not raised this issue, order is being pronounced.

The respondent has not filed any reply. The claim of the complainant is, therefore, admitted.

Taking into view the submissions made by the complainant the Authority hereby directs the respondent company and its Directors to refund the principal amount i.e. Rs.15,67,500/- to the complainant along with interest calculated at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus one percent from the date of deposit till the date of refund within sixty days of issue of this order.

The complainant submits that she would be willing to consider the proposal of alternate plot in village Parmanandpur, Sonapur as was offered by the respondent in other complaint matters. As the respondent is not present, order has been pronounced for refund of the principal amount along with thereon. However, the complainant may get in touch with the representative of the respondent company and try to arrive at settlement of alternate plot.

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

Sd/-
Naveen Verma
(Chairman)