

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/153/2025

Indrajeet Kumar choudhary

....Complainant(s)

Vs

M/s Agrani Homes Pvt. Ltd.

....Respondent

PROJECT- IOB Nagar, Block -M

For the complainant:

In Person

For the respondent :

Mr. Alok Kumar (Director)

16.10.2025

ORDER

The complainant is physically present, but Shri Alok Kumar, the Director of respondent company appears through video conferencing.

2. The fact of the case, as briefly stated, is that the complainant booked a flat in Block -M of the project, IOB Nagar and paid an amount of Rs. 14,00,000/- to the respondent through cheques issued on different dates against the total consideration of Rs. 15,25,000/-. All the payments were made in 2014. The complainant has also filed on record the bank statement of transactions in support of his case. The details of total principal amount paid by the complainant to respondent as per the bank statement are as follows:

Amount in Rupees	Date of issue of cheques	Date of debit from A/c
2,91,000/-	08.01.2014	09.01.2014
2,00,000/-	08.01.2014	09.01.2014
5,00,000/-	04.02.2014	04.02.2014
2,91,486/-	25.02.2014	25.02.2014
1,50,000/-	20.12.2014	24.12.2024

3. From the above bank statement showing the transactions from 01.01.2014 to 01.12.2015, it is clear that the complainant has paid a total sum of Rs. 14,32,972/- as principal amount to the respondent. However, in his complaint case, the complainant has claimed to have paid Rs. 14,00,000/- to the respondent, which does not tally with the bank statement. Hence, during the course of hearing, the complainant has filed on record a petition to this effect that he has wrongly mentioned the principal amount as Rs. 14,00,000/- out of his memory. The complainant now seeks permission to amend it from Rs. 14,00,000/- to Rs. 14,32,972/-

4. Since the project in question was a lapsed one and there was a considerable delay in completion of the project, the complainant, instead of getting delivery of possession of flat in the said project, has prayed for refund of the said principal amount of Rs. 14,32,972/- along with interest. The Director of the respondent company does not dispute the amount and is also ready to refund the said principal amount along with interest.

5. Heard and perused the record.

6. Considering the submissions and on going through the record, it appears that the complainant has paid the total principal amount Rs. 14,32,972/- instead of Rs. 14,00,000/- through cheques issued on different dates and credited in the account of the respondent company for purchase of a flat in the said project of the respondent. In the meantime, the respondent has neither started the construction of the project nor has refunded the principal amount. Therefore, the complainant has claimed for refund of the total principal amount along with interest, which appears reasonable.

7. Hence, taking into consideration the documents placed on record and submissions made therein and also considering the fact that the respondent has enjoyed the financial benefits of the amount paid by the complainant against the booking of flat, this Bench hereby directs the respondent company and its Director, Shri Alok Kumar to refund the principal amount of Rs. 14,32,972/- along with interest @ 2% above the Marginal Cost of Fund-based Lending Rate (MCLR of State Bank of India as applicable for three years from the date of booking till the date of refund, within sixty days of the date of issue of this order.

With these directions/observations, this complainant case is disposed of.

Sd/-
(Ved Prakash)
Special Presiding Officer