

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

Case Nos. RERA/CC/1602/2020

Nityanand Prasad

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: - Agrani S.B.I. Nagar

ORDER

17-05-2022

The matter was last heard on 12-05-2022.

The case of the complainant is that he had booked a flat in the project SBI Nagar and Paid Rs. 4,00,000/- to the respondent. As the respondent failed to handover the flat till date this complaint has been filed for refund with 18% compound interest.

The complainant has placed on record copy of Aadhar Card, PAN card and ledger account detail provided by the respondent.

On the last date of hearing, the complainant reiterated his request for refund as he is not interested in any offer proposed by the respondent. The legal representative of respondent company agreed that orders may be passed as the complainant was not interested in any offer of alternative flat or plot.

It is also 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. 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 submission of both the parties the Bench hereby directs the respondent company and their Director to refund the principal amount of Rs. 4,00,000/- 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 two years from the date of taking the booking to the date of refund within sixty days of issue of this order.

With these direction and observation, the matter is disposed of.

Sd/-

Naveen Verma
(Chairman)