

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

RERA/CC/232/2024
RERA/AO/77/2024

Sumit Saurabh and Sunit Snehi

....Complainant(s)

Vs

M/s Agrani Homes Pvt. Ltd.

....Respondent

PROJECT- IOB Nagar

For the complainant:

Mr. Ishtiyaque Hussain (Adv.)

For the respondent :

Mr. Alok Kumar (Director)

30.04.2026

O R D E R

Shri Ishtiyaque Hussain, learned counsel on behalf of complainant and Shri Alok Kumar, the Director of respondent company appear through video conferencing.

2. The learned counsel for the complainant submits that the principal amount of Rs. 13,95,900/- out of consideration money Rs. 16,49,000/- for purchase of a flat in the project IOB Nagar (Main Phase), was paid to the respondent about six years back, but till date, the project was not completed and in near future, there is no feasibility of any work to be started in the project. He further submits that the money paid by the complainant has also not been refunded despite cancellation request sent to the respondent. Hence, the respondent may be directed to refund of the principal amount along with interest and compensation to the complainant.

3. On the other hand, Shri Alok Kumar, the Director of respondent company who is appearing through video conferencing, submits that presently he is not able to redress the grievances of the complainant. He simply expressed his inability to resolve the dispute on account of insufficiency of funds at present juncture.

4. In the light Memorandum of Understanding dated 06.02.2018 executed between complainant and respondent company through its Director, Shri Alok Kumar for sale of a flat in the project, IOB Nagar, the

complainant has paid the total principal amount of Rs. 13,95,900/- for purchase of the flat having an area of 1300 sq. ft. out of total consideration Rs. 16,49,440/- plus 2,00,000/- against amenities plus Rs. 49,400/- as GST. KYC was also done between the parties regarding the deal.

5. Hence, taking into consideration the submissions of both the parties as well as on going through the record, it appears that due to slackness on the part of the respondent, the project is still hanging in balance for over last six years and there is complete uncertainty with regard to its completion. In that eventuality, it was incumbent upon respondent company to take care of the complainant by either refunding the paid money with interest or by adjusting the complainant in some other project as per consent of the complainant which he has not done. In such a situation, the complainant cannot be left high and dry in the hands of the respondent company. The Authority has to protect the interest of the complainant.

6. In view of the above discussions, this Bench hereby directs the respondent company through its Director, Shri Alok Kumar to refund the principal amount of Rs. 13,95,900/- along with interest to the complainant @ 2 % above the MCLR of State Bank of India, applicable for three years, within 60 days of passing of the order.

7. The complainant, if so advised, is at liberty to seek other relief(s), if any, which are in the nature of compensation, before the learned Adjudicating Officer, RERA, Bihar.

With these directions and observations, the present complainant case stands disposed of.

Sd/-
(Ved Prakash)
Special Presiding Officer