

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/376/2024

Manoranjan Kumar Complainant

Vs.

M/s Agrani Homes Real Construction Pvt. Ltd.Respondent

PROJECT: AGRANI EMERALD, BLOCK -B

For the Complainant: Mr. Ishtiyaque Hussain, Advocate

For the Respondent: In person

26.06.2025

ORDER

Learned counsel Mr. Ishtiyaque Hussain on behalf of the complainant is present but Sri Alok Kumar, Director of the respondent – company, is produced through video conferencing by the Phulwari Sharif Jail Authority.

2. Learned Counsel for the complainant submits that on 15.04.2016 he booked Flat no.305 having area of 1400 sq. ft. in Block –B in the proposed project “ Agrani Emerald” on consideration amount of Rs.34,30,000/- excluding GST, out of which he paid Rs.4,60,000/- vide cheques & NEFT dated 03.05.2016, 19.10.2016, 20.05.2016 & 26.04.2016, against which the respondent issued payment receipts and the same are kept on record. He further submits that the payment receipts and the KYC dated 15.04.2016 (at page -12 of the record) show that the complainant had booked the flat about six years back and made payments to the respondent but it is surprising enough that even after expiry of six years there is no development in the project work whereas at the time of booking the respondent had assured to provide the flat within the specified period of time. Hence, the present complaint by the complainant for refund of money along with interest.

3. Director of the respondent – company Mr. Alok Kumar appears through video conferencing from the Phulwari Sharif

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Jail. He does not dispute the payment of Rs. 4,60,000/- made by the complainant against booking of Flat no.305 as well as payment receipts showing payment of Rs.4,60,000/- by the complainant to the respondent and KYC dated 15.04.2016 issued by the respondent. On query made by the Bench regarding refund of money, he expresses inability.

4. Perused the record. The Bench observes that the respondent - promoter neither honoured the commitment made to the complainant of completing the project and handing over possession of the flat within the specified time nor has refunded the principal amount of the complainant. However, Director of the respondent – company Mr. Alok Kumar during course of submissions through video conferencing from the Phulwari Sharif Jail admits about payment made by the complainant of Rs.4,60,000/- against booking of Flat no. 305 in the project “ Agrani Emerald”” but he expresses inability to refund the aforesaid amount on account of financial crunch being faced by him.

5. Taking into consideration the aforesaid submission of learned counsel for the complainant as well as Director of Respondent - company and on going through the material available on record, the Bench directs the respondent - company and its Director Mr. Alok Kumar to refund the principal amount of Rs.4,60,000/- to the complainant along with interest at 2% above marginal cost of lending rate of the State Bank of India since the date of payment of the principal amount till the date of refund within sixty days of issuance of the order.

6. The complainant is at liberty to press other claims, if any, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-
(Ved Prakash)
Special Presiding Officer, RERA, Bihar.