

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

RERA/CC/66/2024

Asha Devi Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.Respondent

PROJECT: AGRANI SURAJ SUMAN, BLOCK - B

For the Complainant: Ms. Kriti Suman, Advocate

For the Respondent: In person

29.05.2025

ORDER

Learned counsel Ms. Kriti Suman on behalf of the complainant is present. Director of the respondent Company Mr. Alok Kumar appears through video conferencing from the Phulwari Sharif Jail.

2. Learned counsel for the complainant submits that on 17.08.2016 the complainant booked a Flat no.301 having a area of 1245 sq. ft. in Block – B on 3rd floor along with car parking space through KYC dated 17.08.2016 in the project “ Agrani Suraj Suman” situated at Patliputra Junction, Patna, of the respondent M/s Agrani Homes Pvt. Ltd., on consideration amount of Rs.33,31,460/- + amenities charges Rs. 2,00,000/-. Out of the total consideration money, the complainant paid Rs.8,00,000/- through different cheques, against which the respondent issued acknowledgement receipts, which are kept on record, and Rs. 1,00,000/- through cash transfer from the Bank, for which Bank Statement has been filed and the same is kept on record and, thus, the complainant paid total amount of Rs.9,00,000/-. He further submits that while booking the

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respondent had assured the complainant that the flat would be handed over within the specified period of time but till date neither the project has been completed nor possession of the flat has been delivered even after expiry of long period of time. Hence, the present complaint has been filed by the complainant for refund of his money along with interest.

3. Director of the respondent – company Mr. Alok Kumar appears through video conferencing from the Phulwari Sharif Jail. He does not dispute the payment of Rs.9,00,000/- made by the complainant to his company as well as the KYC issued against the complainant in connection with purchase of the aforesaid flat by the complainant. On query made by the Bench regarding refund of money of the complainant, he expresses inability of making refund on account of financial crunch being faced by him.

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 of Rs.9,00,000/- made by the complainant against Flat no.301 in the project “Agrani Suraj Suman” but he expresses inability to refund the aforesaid amount.

5. Taking into consideration the aforesaid submission of learned counsel for the complainant as well as Director of the 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.9,00,000/- to the complainant along with interest at 2% above marginal cost of lending rate (MCLR) of the State Bank of

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India on total principal amount which becomes due till the date of payment 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.