

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman

RERA/CC/298/2021

Mr. Rajesh Kumar

.....Complainant

Vs

M/s Agrani Homes Real Marketing Pvt. Ltd.

.....Respondent

Project: Agrani Ashoka Block-C

27.12.2022:

ORDER

This matter was last heard on 20.12.2022 and fixed for orders on 27.12.2022.

The case of the complainant is that he had booked a flat in Agrani Ashoka Block 'C' in 2019 and had deposited Rs.16,00,000/- to the respondent at various dates between March to June, 2019 against the total consideration amount of Rs.20,00,000/-. Although, the respondent assured to complete the work before 31.12.2022, they had not started the construction and hence this matter has been filed for refund of principal amount with interest and compensation.

The respondent has not appeared despite notices having issued to them and hence ex-parte orders are being pronounced.

The complainant has filed copies of the money receipts and KYC issued by the respondent company and on this basis, his claim is being admitted.

The Authority notes that the complainant has not filed copy of letter of cancellation of booking sent to the respondent company. The complainant ought to have approached the Authority only after they had sent letter of cancellation to the respondent. However, since the matter has been taken up, order is being pronounced.

It may be examined by Legal Wing of RERA whether Agrani Ashoka Block 'C' is covered under the Registration Certificate issued for that project and ,if not , suo-motu proceeding may be initiated against the respondent for violation of Section 3 of the RERA Act, 2016.

In view of the submissions made by the complainant , the Authority directs the respondent company and its Directors, Mr. Alok Kumar and Mr. Rana Ranveer Singh to refund the principal amount of Rs.16.00 lakhs to the

complainant along with interest calculated from the date of booking to the date of refund at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for two years within 60 days.

The complainant is at liberty to press his claim of compensation before the Adjudicating Officer.

Sd/-
(Naveen Verma)
Chairman