

**REAL ESTATE REGULATORY AUTHORITY, BIHAR,**

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

**RERA/CC/362/2024**

Sudhir Nayan .... Complainant

Vs.

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

**PROJECT: PG TOWN**

For the Complainant: Mr. Rakesh Roshan Singh, Advocate

For the Respondent: Mr. Alok Kumar, Director,

**17.07.2025**

**ORDER**

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

2. Learned counsel for the complainant submits that the complainant booked three flats bearing Flat no.204 of 1300 sq. ft. in Block – H on total consideration amount of Rs.28,94,650/-+ total Service Tax upto possession 1,24,650/-, Flat no.401 of 1300 sq. ft. in Block – E on total consideration amount of Rs.28,94,650/- + total Service Tax upto possession 1,24,650/- and Flat no.608 of 1300 sq. ft. in Block – F on total consideration amount of 28,94,650/- + total Service Tax upto possession 1,24,650/- in the project “ PG Town” located at Sarari, Danapur, Patna. Out of the total consideration amount of three flats, the complainant made payment of Rs.8,65,000/- (Rs.2,66,000 + Rs.2,89,000 + Rs.2,89,000 + Rs.20,000) and payment receipts were issued by the respondent, copies of which are kept on record. He further submits that while booking the respondent had assured for delivery of possession of the flats within 3.5 years but even after lapse of such a long period, the respondent has failed to develop and complete the project, hence the complainant requested the respondent either to refund the principal amount

along with interest or hand over possession of the flats after getting payment of remaining consideration amount but the respondent neither made refund of his principal amount nor delivered possession of the flats. Hence, the present complaint by the complainant seeking direction to the respondent to refund his principal amount along with interest at the earliest.

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.8,65,000/- made by the complainant against booking of Flat nos.204 in Block – H, Flat no.401 in Block – E & Flat no.608 in Block -F as well as payment receipts brought on the record by the complainant and KYC nos.461, 452 & 453 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 flats 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.8,65,000/- against booking of Flat nos.204 in Block – H, Flat no.401 in Block – E & Flat no.608 in Block -F in the project “ PG Town”” but he expresses inability to refund the aforesaid amount on account of financial crunch being faced by him.

5. In the backdrop of the submissions made by learned counsel for the complainant and ongoing 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.8,65,000/-, to the complainant along with interest at 2% above marginal cost of the lending rate (MCLR) of

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the State Bank of India on the total principal amount since the date of payment till the date of refund within sixty days of this 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.