

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Full Bench of Mr. Naveen Verma, Chairman,
Mr. R.B. Sinha & Mrs. Nupur Banerjee, Members**

Case No. RERA/CC/368/2021

Rubi Bala..... Complainant

Vs.

M/s Agrani Homes Pvt. Ltd. Respondent

Project: IOB Nagar, Block L

15.07.2021

30.11.2021

ORDER

This matter was last heard along with the batch cases before the Full Bench on 29.06.2021.

The case of the complainant is that she booked a flat No. 308, having a super built up area of 1300 sq. ft. in the year 2014, in block – L of the proposed project “IOB Nagar” of the respondent company and deposited Rs. 15,00,000/- (Fifteen Lakh) as an advance through cheque. The total amount of consideration to be paid was Rs.17,50,530/- (Seventeen Lakhs Fifty Thousand Five hundred thirty). The complainant has paid Rs.1,00,000/- (One Lakh) vide cheque no.279324 dated 10.12.2014, for which money receipt no. 095 dated 21.02.2014 was issued, Rs. 4,00,000/- (Four Lakh) vide cheque no.040051 dated 20.02.2014, for which for which money receipt no. 605 dated 22.02.2014 was issued, Rs.4,50,000/- (Four Lakh Fifty Thousand) vide cheque no.040054 dated 26.02.2014, for which money receipt no. 606 dated 26.02.2014 was issued, Rs.5,50,000/- (Five lakh Fifty thousand) vide cheque no. 040062 dated 24.04.2014, for which money receipt no. 1277 dated 03.06.2014 was issued. Since no development/construction of project took place, complainant prays for refund of booking amount along with interest on it. She has filed a copy of the MOU that was entered into with the respondent company.

Perused the records of the case. No rejoinder has been filed by the respondent. However, the Director of the respondent company along with his learned counsel was present on the last date

of hearing and have not challenged the submission of the complainant. Mr Alok Kumar, Director of the company has indicated before the Authority on the last hearing that he had taken bookings from a number of customers.

The Bench notes that the application of the respondent for Registration of his real estate project “IOB Nagar” was rejected through letter dated 06.09.21.

The Authority, therefore, directs the respondent company and their Directors to refund the principal amount of Rs.15,00,000/- to the complainant along with the interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years or more plus two percent from the date of taking the booking amount to the date of refund within sixty days of the issue of this order. The complainant is at liberty to approach the Adjudicating Officer for his claim of compensation.

With these directions, the matter stands disposed of.

Sd/-

Naveen Verma
(Chairman)

Sd/-

R B Sinha
(Member)

Sd/-

Nupur Banerjee
(Member)