

REAL ESTATE REGULATORY AUTHORITY, BIHAR

2 nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna -800023

Hearing before the Double Bench of Hon'ble Chairman, Mr. Naveen Verma,

& Hon'ble Member, Mrs. Nupur Banerjee

Case No.:-RERA/CC/1625/2020

Chanda Rani Gaur.....Complainant

Vs

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

Project: Agrani PG Town- Block A

04.02.2022

O R D E R

This matter was last heard before Double Bench along with the batch cases on 20.01.2022.

The case of the complainant is that she booked flat no. 104 in Block A of PG Town by paying total sum of Rs. 16,20,000/- between June 2018 to December 2018. The complainant submitted that in 2019, a M.O.U was signed between the parties where the respondent has mentioned only sum of Rs. 11,20,000/- and stated the reason that the amount paid in cash will not be mentioned. Since the respondent has not done any work, the complainant has filed the case seeking relief for refund of the amount paid.

The complainant has placed on record copies money receipt no. 3084 issued on 12.06.2018 for Rs. 5,00,000/- (paid via cheque bearing no. 090672 dated 08.06.2018), money receipt no. 3116 issued on 28.06.2018 for Rs. 5,00,000/- (paid via cheque bearing no. 090673 dated 26.06.2018), money receipt dated 26.06.2018 for Rs. 5,00,000/-, money receipt no. 3626 issued on 29.12.2018 for Rs. 1,20,000/- (paid via cheque bearing no. 090675 dated 29.12.2018) and copy of M.O.U dated 20.05.2019.

No rejoinder has been filed by the respondent.

On the last date of hearing, the complainant again prayed for refund of amount paid along with interest.

The Bench notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent was continuously advertising, marketing, booking, selling apartments/plots without registering the real estate project with RERA for which Suo Motu proceeding be initiated against the respondent company under Section 59 of the Real Estate (Regulation and Development) Act, 2016. The Bench also observes that the application of registration of Project "PG Town" has been rejected by the Authority by order dated 02.09.2021.

The Bench notes that the respondent has neither replied nor refuted the contentions of the complainant and hence directs the Respondent Company and its Directors to refund the amount of Rs. 16,20,000/- to the complainant along with interest at the rate of Marginal cost of lending rate (MCLR) as applicable for two years from the date of deposit to the date of refund within sixty days of issue of this order.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)