

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/398/2023

Mukesh Das..... Complainant

Vs.

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

For the complainant: In person

For the Respondent: None

Project:–AGRANI P.G. TOWN

ORDER

30.08.2024 Hearing taken up. The complainant is present. The respondent is absent.

2. The complainant submits that he has filed this complaint for refund of Rs.8,00,000/- which was paid by him to the respondent to purchase Flat no.505 in Block – A of the project “Agrani P.G. Town” located at Danapur. The flat was to be delivered within the specified period of time but the respondent neither handed over him the flat nor refunded his money in spite of cancellation letter sent to the respondent on 15.02.2020. Lastly, he submits that he has filed this complaint for refund of his money along with interest.

3. Perused the record including the proceedings. The Authority observes that the respondent - promoter neither honoured the commitment made to the complainant of handing over the flat within the time granted nor refunded his money in spite of cancellation letter sent to him by the complainant on 15.02.2020. The Authority also observes that the respondent is not showing interest in getting this case disposed of by appearing in this case in spite of several opportunities given and notice issued on 15.01.2024. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

4. In the backdrop of the submissions made by the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Managing Director Mr. Alok Kumar to refund the principal amount of Rs.8,00,000/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates of the State Bank of India on the date on which the amount becomes due till the date of payment.

5. The complainant is at liberty to move for compensation, if any, before the Adjudicating Officer, RERA, as provided under the provision of the RERA Act, 2016.

With the aforesaid observations and directions, this case is disposed of.

**Sd/-
S.D. Jha,
Member**