

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Mrs Nupur Banerjee, Member
Case No.CC/926/2021

Pratibha KumariComplainant
Vs
M/s Agrani Homes Real Marketing Pvt. Ltd.Respondent

Project: Prakriti Vihar

13/05/2024

ORDER

Heard Mr. Punit Kumar, learned counsel for the complainant. The respondent is absent.

In short, the case of the complainant is that the complainant booked a plot bearing Plot No.C-28 having an area of 1200 sq.ft. in the project Prakriti Vihar on 26.04.2016 and paid Rs.4.17 lakh through cheques. She visited the site but seeing that it would take a long time to establish a colony as promised, she made up her mind to withdraw the deposited money. She informed the staff of the company then they promised to return the money. It is stated that after a lapse of so many months she visited the office and they said that her application was lost. Therefore, she has prayed to direct the respondent to refund the principal amount of Rs.4.17 lakh with interest.

The complainant has placed on record the copy of the payment details.

Perused the record. No reply has been filed by the respondent.

Today learned counsel for the complainant reiterates his submissions as made in the complaint petition and has prayed for refund of the amount with interest. He submits that the complainant has already sent a cancellation letter to the respondent on 07.06.2019.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench so, in the interest of justice, order is being passed on the basis of documents available on record.

In the light of the documents placed on record and submission made and considering that the respondent has taken the economic benefit of the amount paid by the complainant in lieu of booking of the alleged plot, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.4.17 lakh to the complainant along with interest at the rate of marginal cost of fund-based lending rate (MCLR) of State Bank of India as applicable for three years plus 2% interest from the date of booking till the date of refund within sixty days of issue of this order.

With these directions and observations, the matter is disposed of.

Sd/-
Nupur Banerjee
Member