

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case No.CC/220/2021**

**Rajeev Ranjan Kumar ..... Complainant**

**Vs**

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

**Project: Agrani Prakriti Vihar**

**22/06/2022**

**Order**

This matter was last heard on 20-05-2022.

The complainant booked a plot in the project, Agrani Prakriti Vihar and paid Rs.1,00,000 in 2019. The complainant has filed the present case seeking refund of the principal amount paid along with interest and compensation.

The complainant has placed on record copy of money receipts issued by the respondent company against payment of Rs.1,00,000.

Perused the records. No reply has been filed by the respondent. However their representative has been present and have not refuted the claim.

On the last date of hearing the complainant submitted that he is not interested in the alternative offer given by respondent and reiterated his prayer for refund.

The L.R. for the respondent submitted that the complaint case may be posted for orders.

It is apparent from the records that the promoter has violated Section 3 of the RERA Act, 2016 as he had sold the plot without getting the project registered. Suo motu proceeding may be initiated against the promoter.

The Bench notes that the complainants ought to have sent the letter for cancellation of his booking to the promoter and approached the Authority only after the promoter had failed to respond to such request. However, since the matter has been taken up for hearing, orders are being passed.

Having heard the submissions the Bench hereby directs the respondent company and their Directors to refund the principal amount of Rs.1,00,000/- 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 two years from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to approach the Adjudicating officer under relevant sections of the Act for other claim, which are in the nature of compensation from the respondent company.

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

Sd/-  
**Naveen Verma**  
**(Chairman)**