

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee, Hon'ble Member

Complaint Case No. RERA/CC/965/2021

Rakesh Kumar Das.....Complainant

Vs.

M/s Agrani Homes Real Services Pvt. Ltd & ors..... Respondent

PROJECT: - Agrani PG Town

For Complainant: In Person

For Respondent: Mr. Satwik Singh, L.R.

ORDER

07-11-2022

The matter was last heard on 25.08.2022 and was fixed for orders on 13.10.2022. However, due to pre-occupation of the Bench in other matter, order could not be pronounced on the date fixed.

The case of the complainant is that complainant had booked a Flat, bearing Flat No.105, in Block-D, in Agrani PG Town at Sarari, Danapur in 2017 and had paid Rs.3.42 lakh, out of total consideration amount of Rs.30.60 lakh, in lieu of booking of the flat. He further submitted that after several approach to respondent, respondent neither execute Agreement for Sale in respect to flat booked nor refund the paid amount, the present complaint has been filed seeking relief for the refund of the deposited amount along with interest @ 24 %.

The complainant has placed on record money receipts duly acknowledged and issued by the respondent company of the claimed amount of Rs.3.42 lakh.

Perused the records. No reply has been filed by the respondent. However their representative has been present on the last date of hearing and have not refuted the claim of complainant.

On the last date of hearing, the complainant reiterated his prayer for refund of the amount paid.

The Legal Representative of the respondent company has submitted during the last hearing that order for refund may be passed.

The Bench observes that the application of registration of Project “PG Town” has been rejected by the Authority by order dated 02.09.2021.

The Bench takes the notes of copy of cancellation letter dated 27-08-2022 filed by complainant intimating respondent regarding cancellation of his above stated booked flat.

After considering the documents filed and submissions made, the Bench hereby directs the Respondent Company and their Directors to refund the principal amount of Rs.3.42 lakh to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as

applicable for two years plus three percent from the date of taking the booking within sixty days of issue of this order.

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

Sd/-

Nupur Banerjee
(Member)