

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Bench of Mrs. Nupur Banerjee, Member

Case Nos. RERA/CC/1000/2021

Chanchal Sinha **...Complainant**
Vs.
M/s Agrani Homes Pvt. Ltd. **...Respondent**

Project: - IOB Nagar

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 she booked a flat admeasuring 1300sqft in the project IOB Nagar, Block-S, in2015. The complainant had paid a total consideration of Rs.15 lakh to the respondent. The complainant has filed the complaint case for refund of paid consideration with 18% compound interest.

The complainant has placed on record copy of M.O.U and money receipts duly issued and acknowledged by the respondent.

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 her prayer for refund of the amount paid.

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

The Bench observes that the complainant has not sent any letter for cancellation of his booking to the promoter. The complainant ought to have sent a cancellation letter to the respondent and there after approached the Authority only if the promoter had failed to respond to such request. However, since the matter was taken up for hearing and the representative of respondent has not refuted the claim of complainant, therefore, orders are being passed.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent and its Directors to refund the paid consideration of Rs. 15,00,000/- 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 three years plus 3% from the date of taking the booking to 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)