

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR

RERA/CC/154/2024
RERA/AO/40/2024

Kumari Parmila **Complainant**

Vs

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

Project: IOB Nagar Block-B

Present: **For the Complainant: Mr. Ravi Shankar, Advocate**
 For the Respondent: None

21.05.2026

ORDER

Heard Mr. Ravi Shankar, learned counsel appearing for the complainant. None appears on behalf of the respondent.

2. The complainant has filed this case for issuance of directions to the respondent-promoter to pay compensation of Rs.24,00,000/- for monetary loss if she purchases a new flat at the current market price, to pay Rs.2,00,000/- for litigation cost and also to pay Rs.3,00,000/- for mental and physical agony caused to her.

3. The facts of the case, in brief, are that the complainant had booked a flat, bearing Flat No.305, on 3rd floor, Block-B in the project, namely, IOB Nagar, measuring 1300 sq.ft. super built-up area along with one reserved car parking space and the proportionate share in the common area, for a total consideration amount of Rs.12,50,000/-. The respondent-promoter executed a registered Agreement for Sale dated 07.11.2012, bearing Deed No.28628. The complainant had already paid the entire consideration amount, but the respondent-promoter did not execute sale deed for the said booked

flat. Being aggrieved and dissatisfied with the action of the respondent, the complainant filed a complaint case before the Real Estate Regulatory Authority (RERA), Bihar, Patna, bearing case No.RERA/CC/1629/2020, and the Authority, vide its order dated 15.09.2022, has directed the respondent and its Directors to refund the principal amount along with interest at the rate of marginal cost of fund-based lending rates (MCLR) of the State Bank of India as applicable for three years plus six per cent from the date of taking the booking to the date of refund within sixty days of issue of the order.

4. Learned counsel for the complainant has submitted that the respondent-promoter has deliberately cheated the complainant and has gained monetary benefits over his own fault and violation and leading the complainant to wrongful loss and suffering. Due to the lapse of almost 15 years from the date of booking of the flat, the complainant would have to make huge expense for purchasing any flat of the same dimension and thus the complainant is liable to be compensated according to the said scenario. Due to deficiency in services and adoption of unfair trade practices by the respondent-promoter, this complaint case is filed.

5. The respondent did not appear on a single date in the instant proceeding. As such, finding no option, case record proceeded for *ex parte* hearing.

6. After perusal of the order dated 15.09.2022 of the Authority passed

in case No. RERA/CC/1629/2020, it appears that the Authority has already held that promoter has cancelled the booking of the complainant and the respondent has been directed to refund the remaining paid consideration of Rs.12,50,000/- to the complainant along with interest at the rate of marginal cost of fund-based lending rates (MCLR) of the State Bank of India as applicable for three years plus six per cent from the date of taking the booking to the date of refund within sixty days of issue of the order.

As per the order, monetary loss has already been given by the Authority vide aforesaid order dated 15.09.2022. So far as compensation for mental and physical agony and litigation cost are concerned, the same may be given to the complainant. As such, in the interest of justice, the respondent is directed to pay Rs.2,00,000/- (Two Lakh only) towards mental and physical agony and Rs.1,00,000/- (One Lakh only) towards litigation cost.

7. The case stands disposed of accordingly.

Sd/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar