

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/261/2022

Mrs. Rekha Kumari..... Complainant

Vs.

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

For the complainant: Sri Niraj Kumar, husband.

For the Respondent: None

Project: PRAKRITI VIHAR

ORDER

21.03.2023 Hearing taken up. Sri Niraj Kumar, husband of the complainant, appears for the complainant. The respondent is absent. The respondent also did not appear in the conciliation proceeding held before the Conciliation Forum on 5.7.2022 & 20.7.2022 respectively.

Husband of the complainant submits that the complainant booked a plot of 1200 sq. ft., in the project on consideration amount of Rs.4,80,000/-, out of which she paid Rs.2,00,000/- in between 30.5.2016 to 10.5.2018 respectively and thereafter a Memorandum of Understanding was entered into between them on 2.9.2016. The plot was to be handed over by December, 2020, but the respondent did not honour the commitment. Hence, the complainant wants refund of the money.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notice issued on 10.3.2023. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

In the backdrop of the submissions made on behalf of the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Directors, namely, Mr. Alok Kumar and Mr. Rana Ranvir Singh to refund the principal amount of Rs.2,00,000/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rates (MCLR) of the State Bank of India on the date on which the amount becomes due till the date of payment.

The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-
S.D.Jha,
Member