

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/323/2022

Mrs. Deepmala Complainant

Vs.

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

For the complainant: In person.

For the Respondent:

Project: AGRANI SBI NAGAR

ORDER

11.04.2023 Hearing taken up. The complainant and her husband are present. The respondent is absent.

The husband of the complainant submits that the complainant booked a 3-BHK flat in the project on 11.4.2018 on consideration amount of Rs.13,00,000/-, out of which the complainant paid Rs.7,72,500/- through cheques and electronic mode. The flat was to be handed over on 2.3.2020, but still the respondent has not started the work of the project and on being contacted they give false assurances and lame excuses. The complainant reiterates for refund of the money. He further submits that a cancellation letter has already been given to the respondent on 11.2.2020 which was duly received by the office of the respondent. He also submits the respondent never appeared before the Conciliation Forum.

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 notices issued on 6.4.2023. 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 by the husband of the complainant and the complainant herself 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, Yogipur Chitragupta Nagar, P.S. Patrakar Nagar, P.O. Lohiyanagar, Kankabagh, Patna, to refund the principal amount of Rs.7,72,500/- 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