

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Special Presiding officer,**

**Mr. Ved Prakash, RERA, Bihar**

**Case No: RERA/CC/344/2024**

**Umesh Pathak**

**...Complainant**

**Versus**

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

**...Respondent**

**Project: IOB Nagar. Block-Q**

**Present: For Authority: In Person**

**For Respondent: Mr. Alok Kumar, Director**

**(Virtual Mode)**

**08.05.2025**

**ORDER**

1. The matter was taken up. The complainant is present in person. Sri Alok Kumar Director of the respondent company produced through video conferencing by Phulwari Sharif Jail Authorities.
2. The instant case has been filed against the respondent company by the complainant for the primary relief of refund with interest.
3. The fact of the case is that the complainant purchased a flat in the above-named project namely "IOB Nagar, Block-Q" IN 2015 and executed of memorandum of understanding with the respondent company. The complainant for the purchase of the said flat made a payment of an amount totalling to Rs. 8,00,000/- (hereinafter referred to as "**the principal amount**") in different trances. The complainant has attached the receipts of the payment in the instant complaint case.
4. The complainant submits that the respondent company failed to deliver the possession of the flat to him and even till today the

project is not completed. The complainant further submits that on realisation that the respondent will not be able to complete the project, the he sought refund of the amount paid for the flat from the respondent, but the said request was not given any heed by the respondent company. Hence, the he was left with no choice other than to file complaint before the Authority for refund of the principal amount with interest.

5. The complaint proceedings commenced on the failure of the conciliation between the parties failed vide order dated 24.09.2024.
6. Perused the record. It is evident that the respondent company, neither honoured the commitment made to the complainant of handing over the flat nor has been refunding his money in spite of requests made by the complainant. Moreover, the director of the respondent company appearing through virtual mode expressed his inability and incompetence in refunding the principal amount to the complainant. Considering the hardship being faced by the complainant and also the indifferent and non- cooperative attitude of the respondent – promoter, it will not be proper to allow this case pending for further period and, accordingly, this case is disposed of today itself.
7. Taking into consideration the submission made by the complainant and ongoing through the material available on the record, the Bench directs the respondent company M/s Agrani Homes Pvt. Ltd., to refund the principal amount Rs.8,00,000/- to the complainant along with interest within sixty days of this order. The rate of interest payable by the promoter shall be at two percent above the Marginal Cost of Lending Rates of the State Bank of India since the date of payment till the date of refund.

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

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

**Sd/-**  
**(Ved Prakash)**  
**Special Presiding Officer**  
**RERA, Bihar**