

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Special Presiding Officer,

Mr. Ved Prakash, RERA, Bihar

Case No: RERA/CC/351/2024

Anita Kumari

...Complainant

Versus

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

...Respondent

Project: P.K. Villa

Present: For Authority: Mr. Ishtiyaque Hussian

For Respondent: Mr. Alok Kumar , Director

08.05.2025

ORDER

1. The matter was taken up. Learned Counsel on behalf of the complainant, Mr. Ishtiyaque Hussian is present, but Sri Alok Kumar ,Director of the respondent company is produced through video conferencing by Authorities of Phulwari Sharif Jail.
2. The instant case has been filed against the respondent company by the complainant for the primary relief of refund along with interest.
3. The fact of the case is that the complainant has booked a Shop on 16.01.2019 for an area of 310 sqft bearing Shop No.213 on 2d floor in Block 'A' of the proposed project, namely Agrani Phool Kumari Villa (hereinafter referred to as P.K. Villa, near DRM Office Danapur Railway Station, Patna, situated at Mauza Rampur, Adampur, bearing Khesra and Survey Plot No. 161/257, District - Patna. The complainant for the purchase of the said shop made a payment of total amount Rs. 8,14,000/- (hereinafter referred to as **“the principal amount”**) in different tranches out of consideration amount of Rs 24,25,000/-. 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 and execute the sale deed with respect to shop in his favour. The complainant further submits that on realisation that the respondent would not be able to deliver the possession, he sought refund of the amount paid for the shop from the respondent, but the said request was not given any heed by the respondent company. Hence, the complainant was left with no choice other than to file a complaint before the Authority for a 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 25.09.2025.
6. Perused the record. It is evident that the respondent company neither honoured the commitment made to the complainant of handing over the shop nor has it refunded his money despite repeated request made by him. Considering the hardship being faced by the complainant and 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 going through the material available on the record, the Bench directs the respondent company M/s Agrani Homes Real Marketing Pvt. Ltd and Director Mr. Alok Kumar ,to refund the principal amount Rs.8,14,000/-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 Rate of the state Bank of India

since the date of payment of principal amount 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