

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/411/2022

Afshan Parween..... Complainant

Vs.

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

For the complainant: Mr. Ishtiyak Hussain, Advocate

For the Respondent: None

Project: AGRANI P.G. TOWN

ORDER

19.04.2023 Hearing taken up. Mr. Ishtiyak Hussain, Advocate, appears for the complainant. The respondent is absent.

Learned counsel for the complainant submits that the complainant had booked Flat no.508 in the project on 15.4.2017 and MOU was arrived at between the complainant and the respondent on 23.8.2017. The consideration amount of the flat was Rs.16,00,000/-, out of which she paid Rs.14,63,000/- through RTGS between 15.4.2017 to 18.4.2017 but neither the respondent has completed the project nor delivered possession nor, on cancellation of allotment, refunded the principal amount. He further submits that registration of the project has already rejected vide order dated 25.8.2021 by the RERA with a direction to the respondent to return the principal amount of allottees along with interest, and accordingly he submits that there is no need of sending separate cancellation letter. The complainant requests for refund of amount along with interest.

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. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter and also the fact that the registration of the project has already been rejected by the Authority vide order dated 25.8.2021, 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 Director, namely, Mr. Rana Ranvir Singh to refund the principal amount of Rs.14,63,000/- 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