

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

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

RERA/CC/79/2024

Sima Dubey ..... Complainant

Vs.

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

For the complainant: Mr. Punit Kumar, Advocate

For the Respondent: None

**Project:– I.O.B. NAGAR**

**ORDER**

**09.07.2024** Hearing taken up. Mr. Punit Kumar, Advocate, appears for the complainant. The respondent is absent.

2. Learned counsel for the complainant submits that the complainant booked Flat no.406 of 1322 sq. ft. in Block –L in the project “IOB Nagar” situated at Sarari, Patna, vide KYC dated 12.05.2017 on consideration amount of Rs.17,41,838/- out of which she had paid Rs.15,10,001/- between the year 2013 to 2016. The flat was to be handed over within the specified time but the respondent – promoter failed in honouring the commitment. Hence, the complainant sent cancellation letter to the respondent by mail on 9.12.2023 for refund of her money, which has not been responded so far. The complainant requests for refund of money along with interest and compensation.

3. Perused the record. The Authority observes that the respondent– promoter neither honoured the commitment made to the complainant of handing over flat nor is appearing in this case in spite of several opportunities given and notice issued on 19.06.2024. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter in not refunding money in spite of sending cancellation letter dated 09.12.2023, the Authority is left

with no option but to dispose of this case and, accordingly, this case is being disposed of today on the basis of material available on the record.

4. 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 Managing Director Mr. Alok Kumar to refund the remaining amount of Rs.15,10,001/- 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 of the State Bank of India on the date on which the amount becomes due till the date of payment.

5. The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA, as per the provisions of the RERA Act, 2016

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

**Sd/-  
S.D. Jha,  
Member**