

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mrs. Nupur Banerjee, Member**

Case No: RERA/CC/135/2022

Shyam Kishore Prasad

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani Prakriti Vihar

06/04/2023

ORDER

In this matter, the complainant booked a residential Plot No. 613 on 30.09.2016 in the said project situated at Permanandpur, District Saran measuring vacant land plot of 2200 sq.ft. at the rate of Rs.490/- per sq.ft with applicable service tax. It is stated that against the said consideration of Rs.10.78 lakh, the complainant has paid Rs.3.50 lakh. In spite of that, the respondent has neither executed registered sale deed nor given physical possession of the said plot even after 5½ years. Therefore, he has prayed for refund of the entire money with interest or the respondent be directed to give possession of the said land and execute registered sale deed in one month. He has also prayed for compensation of Rs.5 lakh and litigation cost of Rs.50 thousand.

The complainant has placed on record the copy of the money receipts.

Perused the record. No reply has been filed by the respondent.

On the last date of hearing the complainant reiterated his prayer for refund with interest and compensation.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench so, order is being passed on the basis of documents available on record.

In the light of the documents placed on record and submission made and considering that the respondent has taken the economic benefit of the consideration amount paid by the complainant in lieu of booking of the alleged plot, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.3.50 lakh to the complainant along with interest at the rate of marginal cost of fund-based lending rate (MCLR) of State Bank of India as applicable for three years plus 3% interest from the date of taking booking till the date of refund within sixty days of issue of this order.

As regards compensation, the complainant is at liberty to file a case before the Adjudicating Officer as per provisions of the Act.

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

**Sd/-
Nupur Banerjee
(Member)**

