

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

**Case No: RERA/CC/1378/2020**

**Manoj Kumar**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: Agrani SBI Nagar**

**Present: For Complainant: Mr. Manoj Kumar Singh, Advocate**

**For Respondent: None**

**06/04/2023**

**ORDER**

In this matter, the complainant has booked a flat bearing Flat No.401 on 4<sup>th</sup> floor measuring 1300 sq.ft. in the said project for a total consideration amount of Rs.16.00 lakh under one-time full payment and it was assured by the developer that the project would be completed very soon but till date there is no development in the project. Against the said consideration amount the complainant paid Rs.15.75 lakh in 2018 itself. It is stated that the complainant approached several times to the respondent company but they have given evasive reply. Thereafter MOU was signed between them in 2019 and it has been categorically mentioned that he has paid Rs.15.75 lakh in lieu of the booked flat but nothing has been done. Therefore, he has prayed to direct the respondent to refund principal amount of Rs.15.75 lakh with interest and compensation.

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

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

Today also the complainant reiterated his prayer for refund with interest.

The Bench notes that despite several opportunities the respondent failed to appear before the Bench so, in the interest of justice 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 flat, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.15.75 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 2% 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**