

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

Case No: RERA/CC/1535/2020

Vibha Rani

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani SBI Nagar

Present: For Complainant: Mr. Manish Chandra Narayan, Advocate

For Respondent: None

06/04/2023

ORDER

In this matter, the complainant has booked a duplex having an area of 1200 sq.ft. in the said project in December, 2014 and paid Rs.28.00 lakh till October, 2016. Thereafter MOU was signed between the parties on 11.10.2017. It is stated that since no work has been done he filed a petition on 18.11.2019 to the Director of the company for refund of the money but till date they have not refunded the said amount. Therefore, she has prayed to direct the respondent to refund principal amount of Rs.28.00 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 her 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.28.00 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

