

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

Case No: RERA/CC/193/2021

Monika Rani

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

.. ...Respondent

Project: Agrani P.G.Town

Present: For Complainant: Mr. Ishtiyaque Hussain, Advocate

For Respondent: None

31/03/2023

ORDER

In this matter, on 17.06.2019 the complainant has booked a 3-BHK flat bearing Flat No.306 on 3rd floor, L Block under one time scheme for an area of 1300 sq.ft. along with one reserved car parking in the proposed project Agrani P.G.Town and MOU was entered into between the parties and paid full consideration of Rs.14.00 lakh plus Rs.14,000/- as GST. It is stated that at the time of booking it was promised that the work will start after approval of map and possession of the flat is expected to be handed over by January, 2024 but even after lapse of 1½ years there is no progress in the project. It is further stated that whenever the complainant made enquiry with regard to the construction work, they have evaded the queries made by her. Therefore, she has prayed to direct the respondent to refund the principal amount of Rs.14.00 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.

The Bench notes that since it is a case for refund of the principal amount with interest and the respondent has not filed any reply, 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.14.00 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)

