

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR

RERA/CC/349/2023

Madhu Singh and Another

....Complainants

Vs

M/s Agrani Infra Developers Pvt. Ltd.

.....Respondent

Project: Agrani Woods

For the Complainants: Mr. Uday Bhan Singh, Advocate

For the Respondent: Mr. Rabindra Kumar, Advocate

17.06.2026

ORDER

Heard learned counsel Shri Uday Bhan Singh on behalf of the complainants and learned counsel Shri Rabindra Kumar on behalf of the respondent.

2. The complainants have filed this case to direct the respondent to provide physical possession of the land in question with all amenities as committed under the terms of Absolute Sale Deed and also to pay interest at the rate of 10% on total value of the land as delay was caused in delivery of physical possession of the plot. It is also for direction to the respondent to pay Rs.25,000/- as penalty for delay, harassment and mental torture along with Rs.25,000/- as litigation cost, to the complainants.

3. The complainants' case, in brief, is that the respondent has executed an Absolute Sale Deed No.2962 dated 21.03.2018 in favour of the complainants for the land mentioned in the Agreement under the project named "AGRANI WOODS". The complainants have deposited Rs.10,00,000/- as total consideration amount. The respondent assured to provide well planned society with the facilities of good drainage system and electricity etc. But when the complainants enquired about the status of the plot, till date no satisfactory response has been made by the respondent. The complainants have given several

reminders to the respondent to settle the physical possession over the plot in question, but the respondent misguided the complainants even after lapse of five years and due to laches on the part of the respondent, the complainants have suffered heavy financial, physical as well as mental loss. Hence this case.

4. On behalf of the respondent, no reply has been filed, rather a petition has been filed that this case is not maintainable and also that the complainants have to provide Bank details if they want to take refund so that the amount may be returned in instalments. The respondent has stated in his petition that due to announcement of development plans for Bihta by the State Government like Airport, three new Highways and several other development plans, the respondent planned to start a real estate project in 2010 anticipating that very soon the entire vicinity would be developed but till date it has not been developed. The respondent executed an Absolute Sale Deed in favour of the complainants. The respondent attempted to provide land in the vicinity but till now, it could not be materlized with the land-holder as some raiyats have not provided land and due to shortage of land, he could not provide the land in question.

5. Heard both sides and perused the case records. The learned counsel for the complainants wants physical possession of the concerned land whereas as per the respondent he is not able to give possession of the said land as the concerned land is not in his hands but he is ready to refund the amount. Learned counsel for the complainants has submitted that the restriction imposed on registration of the plots of the project "Agrani Woods" has already been withdrawn vide order dated 18.03.2026 passed in RERA/CC/428/2022 and as such, physical possession is to be ordered, whereas, as per the respondent, in other cases, this Court has already ordered to refund the amount. In such circumstances, the respondent is ready to refund the consideration amount.

6. Considering the aforesaid facts and circumstances, it would be justified to pass similar order as has been passed in other similar cases related to the same project.

7. Hence, the respondent is directed to refund the rest consideration amount, for which the complainants are directed to make available the Bank details of the concerned Bank so that the rest consideration amount is to be paid by the respondent to the complainants. The respondent is also directed to pay interest over the said consideration amount calculated at the rate of marginal cost of fund-based lending rates (MCLR) of the State Bank of India as applicable for three years plus 2% from the date of booking till the date of payment. This order is to be complied within sixty (60) days from the date of issue of this order.

8. So far other reliefs with respect to compensation are concerned, the complainants are at liberty to file case for compensation before the Adjudicating Officer, RERA.

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

Sd/-
(Vinod Kumar Tiwari)
Special Presiding Officer,
RERA, Bihar

