

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No: RERA/CC/763/2021

Satpal Singh

.....Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: I.O.B Nagar, Block- O

For Complainant: Mr. Binod Kr. Sinha, Adv.

For Respondent: Mr. Satwik Singh, L.R.

29-08-2022

ORDER

This matter was last heard on 25.07.2022

In this matter the allottee had booked a flat in the project I.O.B Nagar, Block O for a total consideration of Rs. 17,00,000/- on 30.12.2013 and had paid Rs. 15,00,000/-. A Memorandum of Understanding was executed wherein it was mentioned that the said flat would be completed within 36 months and with a relaxation period of 6 months. However, as the promoter failed to start the construction of flat after the passes of more than 6 years and also not refund the paid money, the complaint has been filed for refund of the paid amount along with 24% interest and reasonable house rent @ 15,000/- per month.

The allottee has placed on record copy of memorandum of Understanding dated 30.12.2013 and money receipts of Rs. 15 lakh, duly acknowledged and issued by the respondent company.

Perused the records. No reply has been filed by the respondent. The representative for the respondent was present on the last date of hearing and has not challenged the contention of the complainant but instead submitted that the complainant is not

interested in any alternate offer, they will refund the amount, order may be passed.

On last date of hearing learned counsel for the complainant reiterated his prayer for refund.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.15,00,000 (Rupees Fifteen Lakh only) 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 two percent from the date of taking booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press his claim of rent as compensation before the Adjudicating Officer.

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

Sd/-
Nupur Banerjee
(Member)