

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**

**Before the Bench of Mrs. Nupur Banerjee, Member**

**Case Nos. RERA/CC/800/2021**

**Animesh Kumar**

**...Complainant**

**Vs.**

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

**...Respondent**

**Project: - Agrani BOB City**

**ORDER**

**5.09.2022**

The matter was last heard on 27.07.2022

The case of the complainant is that he booked Flat bearing flat no. 501, admeasuring 1630 sq.ft., in the project Agrani BOB city in 2016. The complainant has paid Rs. 4,00,000/- out of the total consideration of Rs. 11, 38,500/-. The complainant has further stated that, till date the project has not been started by the respondent nor paid money has been refunded by them till date, despite several visit / telephonic request to respondent, hence, he filed present complaint case seeking refund of the paid consideration amount with interest.

The complainant has placed on record money receipt of Rs.4 lakh and KYC bearing no.222.

Perused the record. The respondent has not filed any specific reply and even not appeared during the course of hearing despite notices and summon issued, hence, order is being pronounced on the basis of documents available on the record.

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

The Bench observes that the application of registration of Project “BOB City” has been rejected by the Authority by order dated 06.09.2021.

The Bench observes that the allottee has not sent any communication to the promoter regarding cancellation of booking. The Authority ought to be approached only after the promoter fails to respond to such communication. However, since the matter has already been heard, and the promoter is not appearing, orders are being pronounced.

After considering the documents filed and submissions made by both the parties, the Bench hereby directs the respondent and their Directors to refund the paid consideration of Rs 4,00,000/- to the complainant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years plus three percent from the date of taking the booking to the date of refund within sixty days of issue of this order.

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

Sd/-  
**Nupur Banerjee**  
(Member)