

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman

Case Nos. RERA/CC/49/2021

Punam Singh

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: - Agrani SBI Nagar

ORDER

12.09.2022

The matter was last heard on 16.08.2022

The complainant had booked a flat in the project Agrani SBI Nagar in 2015 and has paid Rs. 16,00,000/-. The complainant has stated that as the respondent failed to construct the project, the matter has been filed for refund of paid consideration with interest.

The complainant has placed on record copy of MOU dated 01-07-2015 and money receipts.

Perused the record. No reply has been filed by the respondent.

On the last date of hearing the complainant reiterated the prayer of the complaint petition which was not challenged by the respondent. It was mentioned by the respondent that as the complainant is not interested in any alternative offer of flat or plot, this matter could be posted for orders.

The Authority 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, orders are being pronounced.

After considering the submission made and documents filed by the complainant, the Bench hereby directs the respondent and its Directors to refund the paid consideration of Rs. 16,00,000/- 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 observations and directions, the matter is disposed of.

Sd/-
Naveen Verma
(Chairman)