

# **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mr. Naveen Verma, Chairman**

**RERA/CC/703/2021**

**Shankar Choudhary.....Complainant**

**Vs.**

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

**PROJECT: “Agrani PG Town”**

**Order**

**12.09.2022**

This matter was last heard on 16.08.2022.

The case of the complainant is that he booked a flat in the project Agrani, PG Town and paid Rs. 14,65,000/- in 2017. As the respondent has failed to construct the project, the complainant has filed the present case for refund with interest.

The complainant has placed on record Memorandum of understanding dated 21/10/2017, KYC, money receipts with supporting cheques and completion letter sent to the respondent.

Perused the records. The respondent has not filed any reply. However, on the last date of the hearing, the complainant reiterated his request and submitted that he was not interested in any alternate offer proposed by the respondent. The respondent did not challenge the submission of the complainant, and hence the claim is admitted.

The Authority notes that the respondent has violated Section 3 of RERA Act, 2016 as the respondent M.O.U. for sale in 2017 without registering the real estate project with RERA. This matter may be included in the Suo Moto proceeding against the respondent company.

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.

Having heard the submission of both the parties the Authority hereby directs the respondent company and its Director to refund the principal amount of Rs. 14,65,000/- 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 1% percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

With these directions, the matter is disposed of.

Sd/-  
**Naveen Verma**  
**(Chairman)**