

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

Case Nos. RERA/CC/653/2019

Indira Sinha **...Complainant**
Vs.
M/s Agrani Homes Pvt. Ltd. **...Respondent**

Project: - IOB Nagar Block Q

ORDER

19.09.2022

The matter was last heard on 29.08.2022. In this matter detailed interim order was passed on 16.08.2022 in which the facts of the case are mentioned.

On the last date of hearing the complainant reiterated the relief sought in the complaint petition and submitted that she is not interested in any alternate offer.

Perused the record. The respondent has not filed any reply.

The Authority observes that as the respondent has failed to appear before the Bench and file reply, the submission of the complainant is admitted and orders are being passed on the basis of documents available on record.

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, and the promoter is not appearing, orders are being pronounced.

After considering the documents filed and submission made the Authority hereby directs the respondent company and its Director to refund the principal amount of Rs. 16,49,440/- 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 4% percent from the date of taking the booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press the claim for compensation before the Adjudicating Officer

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

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