

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

Case No: RERA/CC/861/2020

Mahesh Chandra Sahay

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: I.O.B Nagar

24.08.2022

ORDER

This matter was last heard on 30.06.2022

In this matter the allottee had booked a flat in the project I.O.B Nagar on 25.08.2018, and had paid Rs. 14,00,000/-. He further submitted that the promoter misled him by stating that after the project is registered with RERA, they will prepare an agreement of sale. However, the promoter did not execute the agreement. Hence, the complaint has been filed for refund of the paid amount along with 18% interest.

The allottee has placed on record copies of money receipt dated 22.11.2018 for Rs.2,00,000, money receipt dated 15.09.2018 of Rs.4,00,000, money receipt dated 29.08.2018 for Rs.4,10,000, money receipt dated 17.01.2019 for Rs.4,00,000 duly issued by the respondent company against payment and a copy of KYC/Application form

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 allottee is not interest in any alternate offer.

On last date of hearing the complainant has reiterated his prayer.

The Authority notes that the promoter has apparently violated section 3 of the RERA Act, 2016 and directs that a suo motu proceeding under Section 59 of the Act be initiated against them.

Having heard the submissions, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.14,00,000 (Rupees Fourteen 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 from the date of taking booking till the date of refund within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)