

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Hon'ble Chairman

RERA/CC/993/2020

Santosh Kumar Pandey.....Complainant

Vs.

M/s Agrani Homes Pvt. Ltd... ..Respondent

PROJECT: "IOB Nagar"

ORDER

24-08-2022

This matter was last heard on 30.06.2022.

The case of the complainant is that he booked a flat measuring 1340sqft in the project IOB Nagar, Block B, against which he paid Rs. 17,36,000/- in 2018. Considering the prolonged delay in handing over the possession of the flat, the complainant has filed the present case praying for refund of the paid consideration along with 18% compound interest.

The complainant has placed on record copy of booking application form dated 18/04/2018, MOU dated 08/05/2018, money receipts and cheques for Rs. 15,55,000/-.

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

During the course of hearing the complainant reiterated his relief in the complaint petition. The respondent was directed to file reply.

The Authority notes that the respondent has failed to file its reply. Hence , order is being passed on the basis of documents filed and submission made by the complainant.

The Authority observes that the complainant has not sent any letter for cancellation of his booking to the promoter. The complainant ought to have sent a cancellation letter to the respondent and there after approached the

Authority only if the promoter had failed to respond to such request. However, since the matter was taken up for hearing, orders are being passed.

After considering the documents filed and submissions made by both the parties, the Authority hereby directs the respondent and its Directors to refund Rs. 17,36,000/- 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 from the date of taking the booking to the date of refund within sixty days of issue of this order.

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

Sd/-
Naveen Verma
(Chairman)