

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

Case No: RERA/CC/1818/2020

Bhim Rajak

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agrani SBI Nagar

30-08-2022

ORDER

This matter was last heard on 05.08.2022

In this matter the allottee had booked a flat bearing no 208 in the project SBI Nagar in 2017. The complainant has paid Rs. 14,00,000/-. The respondent failed handover the flat and hence the complaint has been filed for refund of the paid consideration along with 18% interest.

The complainant has placed on record copy of KYC dated 23-03-2017, money receipts, cheques and MOU dated 30-08-2017.

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

On the hearing dated 13/06/2022, the complainant had indicated that he was willing to accept an alternative apartment. The representative of the respondent was directed give their offer in writing and to contact the complainant within one week. On last date of hearing the complainant 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.

The Bench 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.

Having heard the submissions, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.14,00,000 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 plus one percent 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)