

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

Case No: RERA/CC/1207/2020

Vimla Kumari

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: I.O.B Nagar, Block S

26.08.2022

29.08.2022

ORDER

This matter was last heard on 01.07.2022

In this matter the allottee had booked a flat in the project I.O.B Nagar, Block S for a total consideration of Rs. 19,00,000/- in 2015 and had paid Rs. 17,52,000/-. She stated that as the respondent failed to start construction the project, she filed the matter for refund of paid consideration along with 18% interest and compensation.

The allottee has placed on record copy of memorandum of association dated 01.06.2015. The M.O.U indicates that Rs.17,52,000 was paid by him at the time of booking, copy of money receipts with supporting cheques, copy of KYC and cancellation letter dated 04.01.2020

Perused the records. No reply has been filed by the respondent. The representative for the respondent was present on hearing dated 31.05.2022 and has not challenged the contention of the complainant and submitted that he will propose alternate offer to the complainant. The respondent was directed to file reply stating therein the response of the complainant within 2 week. No reply has been filed and hence the claim of the allottee is being admitted.

The Bench had imposed a penalty of Rs.5,000/- for not complying with the direction of the Bench during hearing dated 31.05.2022.

On last date of hearing the complainant reiterated his prayer.

Having heard the submissions, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.17,52,000 (Rupees Seventeen Lakh Fifty Two Thousand 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 plus three percent from the date of taking booking till the date of refund within sixty days of issue of this order.

The complainant is at liberty to press his claim of compensation before the Adjudicating Officer.

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

Sd/-
Naveen Verma
(Chairman)