

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

Case No: RERA/CC/1325/2020

Vivek Kumar Jaiswal

...Complainant

Vs.

M/s Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: BOB City, Block M

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 bearing no 202 in the project Agrani BOB City for a total consideration of Rs. 16,00,000/- on 16.04.2016 and had paid Rs. 14,00,000/-. He stated that as the respondent failed to start construction the project, he filed the matter for refund of paid consideration along with 18% interest.

The allottee has placed on record copy of memorandum of association dated 19.04.2017. The M.O.U indicates that Rs.14,00,000 and Rs. 63,000 (Service tax) was paid by him at the time of booking.

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 Bench had directed to file reply stating therein the response of the complainant within 2 week. Since no reply was filed , a penalty of Rs.5,000/- was imposed for not complying with the direction of the Authority.

The respondent is directed to deposit the amount of penalty within a fortnight.

On last date of hearing the complainant reiterated his prayer and further submitted that he paid Rs.14,63,000 and he is not interested in any alternate offer of the respondent.

Having heard the submissions, the Bench hereby directs the respondent company and its Directors to refund the principal amount of Rs.14,63,000 (Rupees Fourteen Lakh Sixty Three 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.

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

Sd/-
Naveen Verma
(Chairman)