

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

**Hon'ble Member Mr. S.D. Jha, RERA, Bihar,**

**RERA/CC/611/2022**

**Anisha Kumari ..... Complainant**

**Vs.**

**M/s Agrani Homes Real Marketing Pvt. Ltd. .... Respondent**

**For the complainant: Mr. Sanjiv Kumar, Advocate**

**For the Respondent: None**

**Project: - AGRANI YAMUNA ENCLAVE**

**ORDER**

**02.08.2023** Hearing taken up. Mr. Sanjiv Kumar, Advocate, appears for the complainant. The respondent is absent.

2. Learned counsel for the complainant reiterates his submission that the complainant booked Flat no.302 in the project "Agrani Yamuna Enclave" located at Saguna mor, Danapur, Patna in the year 2018 on consideration amount of Rs.33,80,700/- out of which she paid Rs.8,17,276/-. He further submits that the project was to be completed and possession of the flat was to be handed over within the specified time but the respondent failed in honouring the commitment. Hence, the complainant wants refund of money and in this connection the complainant has sent a letter of cancellation through mail to the respondent on 22.7.2023.

3. Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project and handing over the flat within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notice issued on 28.6.2023, wherein it was specifically mentioned that in case of non-appearance, the case would be disposed of on merit on the basis of material available on the record. Considering the hardship being faced by the complainant and also the

indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

4. In the backdrop of the submissions made on behalf of the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Director to refund the principal amount of Rs.8,17,276/- to the complainant along with interest within sixty days of issue of this order. The rate of interest payable by the promoter shall be at two percent above the prevalent Prime Lending Rate of the State Bank of India on the date on which the amount becomes due till the date of payment.

With the aforesaid observations and directions, this case is disposed of.

**sd/-**  
**S.D. Jha,**  
**Member**