REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/969/2021

RERA/AO/285/2021

Mr. Satyam Kumar and Another …… Complainants

Vs.

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

For the complainants: Mr. Harsh Kaushal, Advocate

For the Respondent: None

Project: - SURAJ SUMAN APARTMENT

O R D E R

03.08.2023 Hearing taken up. Mr. Harsh Kaushal, Advocate, appears for the complainants. The respondent is absent.

2. Learned counsel for the complainants submits that the complainants booked Flat no.204 in Block A of 1245 sq. ft. in the project "Suraj Suman Apartment" located at Sikandarpur, near Patliputra Sation, Patna, on consideration amount of Rs.35,37,000/-, out of which they paid Rs.2,00,000/- on 6.8.2017 & 17.8.2017, for which money received were issued by the respondent. The flat was assured to be completed and handed over within the specified time but no work of the project was started. The complainants having found cheated by the respondent – promoter, they requested to return the money but the respondent only return Rs.1,00,000/- and remaining Rs.1,00,000/- is still to be refunded, for which the complainants tried to contact the respondent – promoter several time but failed and now he has changed the phone numbers. Thereafter, the complainants sent legal notice on 21.8.2021 but returned unserved. Hence, the complainants has filed the present complaint and request for refund of the remaining amount of

Rs.1,00,000/-. Lastly, he submits that the respondent neither appeared before the Adjudicating Officer, RERA, Bihar, nor the Authority in spite of notice issue on10/4/2023 and 24.7.2023.

3. Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainants 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 24.7.2023. Considering the hardship being faced by the complainants 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 complainants and on going through the material available on the record, the Authority directs the respondent - company and its Directors Mr. Alok Kumar & Mr. Rana Ranveer Singh to refund remaining amount Rs.1,00,000/- to the complainants 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