

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/1701/2020

RERA/AO/577/2020

Deepshikha Complainant

Vs.

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

For the complainant: None

For the Respondent: None

Project: – AGRANI ASHOKA

ORDER

11.09.2023

Hearing taken up. The complainant and the respondent both are absent.

2. The case of the complainant is that she booked Flat no.405 of 3 BHK in Block - C on 28.2.2019 in the project "Agrani Ashoka", located in Chamari Chak at Mauza Manipur Sankar, Phulwari, Danapur, Patna. Out of the consideration amount of Rs. 34,97,000/- + GST, she paid Rs.3,50,000/- (Rs.2,00,000/- on 1.3.2019, Rs.1,00,000/- on 22.4.2019 & Rs.50,000/- on 25.5.2019). The respondent had made commitment to handover the flat by the month of March, 2020 but the construction work of the project has not yet been started. Hence, she wants refund of money with interest and compensation and in this connection on 24.8.2020 she sent cancellation letter to the respondent for refund of money along with interest, a copy of which is on the record, but there is no response at the end of the respondent so far.

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 4.9.2023, wherein it was specifically mentioned that in case of non-appearance, it would be presumed that the respondent has nothing to say in this matter and 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. Having gone through the material available on the record, the Authority directs the respondent - company and its Directors Mr. Alok Kumar and Mr. Rana Ranveer Singh to refund the principal amount of Rs.3,50,000/- 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 Rates of the State Bank of India on the date on which the amount becomes due till the date of payment.

5. The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

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

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