



**REAL ESTATE REGULATORY AUTHORITY (RERA)**  
**IN THE COURT OF ADJUDICATING OFFICER**  
4<sup>TH</sup> & 6<sup>TH</sup> FLOOR, BIHAR STATE BUILDING CONSTRUCTION CORPORATION CAMPUS  
HOSPITAL ROAD, SHASTRI NAGAR  
PATNA-800023

**RERA/Execution Case No.56/2021**

**RERA/CC/969/2020**

**RERA/AO/278/2020**

Mrs. Babita Kumari and Amit Kumar ..... Complainant/Executants

Vs

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

**Project: POWER GRID NAGAR AT SARARI**

**ORDER**

**16/01 /2023:**

Hearing taken up. Heard Mr. Amit Kumar, the complainant in person, but there is no representation on behalf of the respondent.

The executants have filed this case for execution of the order dated 18.02.2021 passed in Case No. RERA/CC/969/2020/RERA/AO/278/2020 by which this Court has been pleased to allow the complaint case on contest with litigation cost of Rs.20,000/- (Twenty thousand only) against the respondents and the respondents were directed to refund the principal amount of Rs.18,00,000/- (Rupees eighteen lacs only) to the executant along with accrued simple interest @ 9.30% per annum on the said amount since respective date of payment by the executant to the respondents till refund by the respondents to the executant. The respondents were further directed to pay compensation of Rs.3,50,000/- (Rupees three lacs fifty thousand only) to the executant for her economical, physical and mental harassment. The respondents were also directed to comply with the order within 60 (sixty) days, failing which the complainant/executant is entitled to get enforced the order through the process of the court.

The executants submit that when the respondent did not comply with the aforesaid order within the stipulated period and the exercise of amicable settlement has also failed then they have no other option but to file this execution case. He further submits that the respondent is not ready to comply with the order dated 18.02.2021 passed in Case No. RERA/CC/969/2020/ RERA/AO/278/2020 and pray to send requisition to the District Magistrate, Patna for recovery under the P.D.R. Act.

Perused the records. From perusal of the record it appears that in spite of knowledge of the above order dated 18.02.2021 neither the respondents have complied with the order nor appeared to reply on the petition of the executants, hence for equity of justice the Bench has no other option but to provide relief to the executants as they cannot be left to suffer for an indefinite period.

Therefore, the execution petition of the executant is allowed and Public Demand Recovery be issued under Section 40(1) of the RERA Act, 2016 read with Rule 25 of the Bihar Real Estate (Regulation and Development) Rules, 2017 and also read with section 4/5 of the Bihar and Orissa Public Demand Recovery Act, 1914 with a copy to the executants and send the same to the District Magistrate, Patna for recovery of the above principal amount along with interest accrued on principal amount as also the litigation cost and compensation against the respondents.

Accordingly, the execution case is disposed of.

**Sd/-**  
**(Ambrish Kumar Tiwari)**  
**Adjudicating Officer**