



**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. 104/2021**

**RERA/CC/421/2019**

**RERA/AO/94/2019**

Mrs. Madhavi Sinha ..... Complainant/Executant  
Vs  
M/s Agrani Homes Pvt. Ltd. .... Respondent

**Project: AGRANI SUNSHINE ENCLAVE**

**ORDER**

**27/02/2023:**

Hearing taken up. Heard MS. Riffat Fatima, learned counsel for the executant, but there is no representation on behalf of the respondent.

The executant has filed this case for execution of the order dated 16.01.2020 passed in Case No. RERA/CC/421/2019/RERA/AO/94/2019 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 paid principal/consideration amount of Rs.14,63,000/- (Rupees fourteen lacs sixty-three thousand only) to the executant along with simple interest of Rs.6,05,278.00 (Rupees six lacss five thousand two hundred and seventy-eight only) @ 10.20% per annum till the date of the order i.e. 16.01.2020. The respondents were further directed to pay simple interest at the same rate of 10.20% since tomorrow i.e. 17.01.2020 till refund of remaining principal amount. The respondents were further directed to pay compensation of Rs.2,00,000/- (Rupees two lacs only) to the executant for her mental and physical 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.

Learned counsel for the executant submits 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 the executant has no other option but to file this execution case. He further submits that the respondent is not ready to comply with the order dated 16.01.2020 passed in Case No. RERA/CC/421/2019/RERA/AO/94/2019 and prays 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 16.01.2020 neither the respondents have complied with the order nor appeared to reply on the petition of the executant, hence for equity of justice the Bench has no other option but to provide relief to the executant as she 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 executant 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**