

# **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Full Bench of Hon'ble Chairman Mr. Vivek Kumar Singh & Hon'ble  
Members Mrs. Nupur Banerjee & Mr. S.D. Jha, RERA, Bihar.**

**RERA/Exe.Case/225/2023  
RERA/CC/1601/2020**

**Suman Devi**

**...Complainant/Executant**

**Vs**

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

**Projects: SBI Nagar**

**Present: For Complainants: None  
For Respondents: None**

**26/06/2024**

## **ORDER**

Hearing taken up. Both parties are absent.

The executant has filed the present execution case for compliance with the order dated 17.05.2022 passed in RERA/CC/1601/2020, in which the Authority directed the respondent company and its directors to refund the principal amount of Rs. 13,47,217/- to the complainant/executant along with interest at the marginal cost of fund-based lending rate (MCLR) of the State Bank of India as applicable for two years from the date of booking to the date of refund, within sixty days of the issuance of the order.

From the records, it appears that the complainant/executant had not appeared even before the bench of the Senior Legal Consultant for several dates.

The Authority observes that despite knowledge of the order in the said complaint case, the respondent has neither complied with the order, nor filed any reply, nor appeared in the case. Hence, for equity and justice, the Authority is compelled to pass an order for the recovery of the said amount, as the respondent cannot be allowed to prolong the matter indefinitely.

Therefore, a penalty of Rs. 50,000/- is imposed on the respondent for violation of the order passed by the Authority under Section 63 of the Act. The respondent is directed to pay the penalty amount within a month. In case of non-compliance, appropriate action will be taken as per the Act.

Send a copy of this order to the compliance wing, RERA Bihar to ensure necessary compliance.

The Authority directs that a 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 Section 4/5 of the Bihar and Orissa Public Demand Recovery Act, 1914, and a copy be sent to the Collector, Patna for recovery of the aforesaid amount along with interest as ordered by the Single Bench for the period of default until the payment is made.

Accordingly, this matter stands disposed of.

Sd/-  
S.D. Jha  
Member

Sd/-  
Nupur Banerjee  
Member

Sd/-  
Vivek Kumar Singh  
Chairman