

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Full Bench of Mr. Vivek Kumar Singh, Chairman, Mrs. Nupur Banerjee, Member & Mr. S.D. Jha, Member.

RERA/Exe./437/2023

RERA/CC/73/2021

Rajeshwar Pandey

....Complainant

Vs

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: Agrani Suraj Suman

Present: For the Executant: Mr. Ramakant Yadav, Adv.

For the Respondent: None.

12/06/2024

ORDER

Hearing convened. Shri Rama Kant Yadav, learned counsel, appears on behalf of the executant. No one represents the respondent.

The executant has filed this execution case to comply with the order dated 11.07.2023, passed in RERA/CC/73/2021. The order directs the respondent company and its Directors to refund the principal amount of Rs. 12,88,626/- to the complainant/executant, along with interest at the marginal cost of fund-based lending rate (MCLR) of State Bank of India applicable for three years plus 2% interest from the booking date to the refund date, within sixty days of the order's issuance.

The counsel for the complainant/executant reaffirms their submissions as stated in the complaint petition and notes non-receipt of the directed amount of Rs. 12,88,626/-, as per the aforementioned order dated 11.07.2023.

The Authority notes that despite awareness of the order in the complaint case, the respondent has neither complied nor responded. Consequently, for the sake of justice, the Authority is compelled to order the recovery of the specified amount, as the respondent cannot delay indefinitely.

Therefore, The Authority directs a Public Demand Recovery be issued under Section 40(1) of the RERA Act, 2016, read with Rule 25 of the Bihar Estate (Regulation and Development) Rules, 2017, and read with Section 4/5 of the Bihar and Orissa Public Demand Recovery Act, 1914, and send a copy to the Collector, Patna for recovery of the aforesaid amount along with interest as ordered by the Full Bench for the period of default of payment until the date of payment is made.

Accordingly, this matter stands disposed of.

Sd/-
S.D. Jha
Member

Sd/-
Nupur Banerjee
Member

Sd/-
Vivek Kumar Singh
Chairman