

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Single Bench of Mr. Naveen Verma, Chairman

Case Nos. Execution case no. 05/2019

Manoranjan Prasad

...Executant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

ORDER

15.09.2022

16.09.2022

The matter was last heard on 05.08.2022.

The case of the executant is that an order dated 30/01/2019 was passed in complaint case no. 59/2018 directing the respondent to refund the paid consideration of Rs. 6,90,000/- with interest at the rate of MCLR of SBI applicable for loan of two years or more plus two percent as on the date of issue of the order. The executant has stated that despite regular follow up, the respondent has failed to comply with the order. He stated that the respondent has refunded Rs. 50,000/- on 22/05/2019. He has filed the matter for refund with interest as per the order dated 30/01/2019.

The complainant has placed on record the order of the Authority in CC/59/2018 dated 30/01/2019.

On 06/05/2022 the Authority reviewed the order dated 26/10/2021 and directed both the parties to appear before the Bench and make their final submissions. Thereafter both the parties appeared before the Bench on 25/05/2022. The complainant submitted that he has got the refund of the paid consideration along with interest of Rs. 3,50,000/- has been refunded and requested for remaining interest

amount. The representative of the respondent submitted that as per the record of the company, the entire interest amount has been paid to the complainant and no further amount is required to be paid. On the last date of hearing the complainant reiterated his last submission. The representative of the respondent submitted that a case for execution of the same order is also pending before the Civil Court.

Perused the record. It appears from the submission of the respondent and the office record, that upon the failure of the respondent to comply with the order, passed by the Authority, a matter has been initiated bearing complaint no. 74/2021 by the Authority itself before the court of C.J.M. Patna. As the matter of compliance of the same order has been referred to C.J.M., Patna, there is no merit in proceeding further with this matter of execution.

Hence, in light of above observation, this execution petition is disposed of.

**Sd/-
Naveen Verma
(Chairman)**