

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

**Hon'ble Member Mr. S.D. Jha, RERA, Bihar,**

RERA/EX./422/2022

RERA/CC/343/2019

Manoj Nandan Prasad ..... Complainant

Vs.

M/s Vision Land Pvt. Ltd. .... Respondent

For the complainant: Mr. Prashant Bhushan, Advocate

For the Respondent: Mr. Rahul Srivastava, Advocate

**Project:- VISION GALAXY**

**ORDER**

**06.09.2024** Hearing taken up. Mr. Prashant Bhushan, Advocate, appears for the complainant. Mr. Rahul Srivastava, Advocate, appears for the respondent.

Learned counsel for the complainant submits that the cheque amounting to Rs.3,68,258/- given by the respondent could not be encashed because that became bounced on being deposited to the Bank. He further submits that the matter may be referred to the Collector, Patna, under PDR for recovery of the amount.

The respondent's counsel submits that today an amount of Rs.1,00,000/- has been sent to the Bank Account of the complainant through RTGS and, to that effect, he has filed written submission today which is kept on the record.

Perused the record. The respondent has failed till date to comply with the order dated 16.08.2022 of the Authority passed in RERA/CC/343/2019 as the respondent has not refunded the remaining amount of Rs.3,68,258/- along with interest at 7% above the prevalent Prime Lending Rates of the State Bank of India on the date on which the amount becomes due till the date of payment despite several opportunities given to the respondent. 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.

The Authority directs that in order to recover the amount mentioned in the order dated 16.08.2022, a certificate of Public Demand Recovery be issued under Section 40(1) of the RERA Act, 2016 read with Rules 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.

In view of the continued non-compliance of the order of the Authority a penalty of Rs.25000/- is being imposed on the respondent by the Authority under Section 63 of the RERA Act, 2016, which may be recovered through the certificate along with the aforesaid amount.

A copy of the order be sent to the Collector, Patna for recovery of the aforesaid amounts

Accordingly, this case is disposed of.

**Sd/-**  
**S.D. Jha,**  
**Member**