

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Mr Naveen Verma, Chairman

Execution Case No. 40/2019, RERA/CC/18/2018

Satish Kumar Verma.....Complainant

Vs

M/s Prasambi Design & Construction Pvt Ltd.....Respondent

Present: For Complainant: Mr AK Singh, Advocate

For Respondent :None

29/10/2021

ORDER

29/11/2021

The matter was last heard on 22-10-2021.

The complainant had filed a complaint petition under section 31 of the Real Estate (Regulation & Development) Act, 2016, on 14-06-2018 against M/s Prasambi Design & Construction Pvt Ltd for either handing over possession of the apartment booked by him in 2014 or refund of the amount paid by him along with interest.

The complainant in his execution petition filed in the year 2019 has submitted that the final order was passed in the complaint case on 11-7-2019 whereby and where under the respondent company was directed to refund the principal amount of Rs 18.10 lakhs to the complainant along with 7 percent interest from the date of deposit to the date of refund within sixty days of the issue of the order.

The Bench has observed that the respondent company was given ample opportunity to comply with the final order dated 11-07-2019 but has failed to do so. Therefore, a token penalty of Rs. 10,000/- (Ten Thousand only) is imposed upon the respondent company for violating the orders and directions of the Bench, to be paid within 15 days from the date of order.

The Bench also took note of the fact that notice under section 40 of the RERA Act was issued to respondent on 20/07/2021, but the person concerned was found absconding. However, notice was pasted on the wall of the apartment. Therefore, the Bench is constrained to proceed further u/s 40 of the Real Estate (Regulation & Development) Act, 2016 read with Rules 25 and 26 of the Bihar Real Estate (Regulation and Development) Rules, 2017 without any further notice.

Sd/-
Naveen Verma
Chairman