



**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
3<sup>rd</sup>, 4<sup>th</sup> & 6<sup>th</sup> FLOOR, BIHAR STATE BUILDING CONSTRUCTION CORPORATION  
LIMITED COMPLEX, SHASTRI NAGAR, PATNA-800023.  
**IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR.**

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**RERA/Execution Case No.271/2022**

**RERA/CC/514/2021**

Bipul Kumar ..... Complainant/Executant  
Vs  
M/s Agrani Homes Real Marketing Pvt. Ltd. . .... Respondent

**Project: DAFFODILS CITY**

**ORDER**

**08/08/2024:**

Hearing taken up. Heard Mr. Ishtiyaque Hussain, learned counsel for the executant, but there is no representation on behalf of the respondent.

2. The executant has filed this case for execution of the order dated 31.10.2021 passed in Case No. RERA/CC/514/2021 by a Full Bench of the Authority comprising of Mr. Naveen Verma, Chairman, Mr. R.B. Sinha, Member and Mrs. Nupur Banerjee, Member, whereby the Full Bench of the Authority while disposing of the case, was pleased to direct the respondent-company and their Directors to refund the principal amount of Rs.3,00,000/- (Rupees three lacs only) along with interest calculated at the marginal cost of fund based lending rate (MCLR) of State Bank of India applicable for one year to the executant within sixty days from the date of order.

3. Learned counsel for the executant submits that when the respondent did not comply with the aforesaid order within the stipulated period and the exercise of amicable settlement has also failed then the executant has no other option but to file this execution case. He further submits that the respondent is not ready to comply with the order dated 31.10.2021 passed in Case No. RERA/CC/514/2021 and prays to send requisition to the District Magistrate, Patna for recovery under the P.D.R. Act.

4. Learned counsel for the executant files the details of calculation enclosing the certified copy of the order dated 31.10.2021 passed in Case No. RERA/CC/514/2021. Let the same be kept on record.

5. Perused the records and from perusal of which it appears that in spite of knowledge of the above order dated 31.10.2021 the respondents have not complied with the order nor appeared to reply on the petition of the executant, hence for equity of justice the Bench has no other option but to provide relief to the executant as he cannot be left to suffer for an indefinite period.

6. Therefore, the execution petition of the executant is allowed and Public Demand Recovery Certificate 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 also read with section 4/5 of the Bihar and Orissa Public Demands Recovery Act, 1914 with a copy to the executants and send the same to the District Magistrate, Patna for recovery of the above principal amount along with interest calculated at the marginal cost of fund based lending rate (MCLR) of State Bank of India applicable for one year within 60 days from the date of order against the respondents.

**Accordingly, the execution case is disposed of.**

Sd/-

**(Ambrish Kumar Tiwari)**  
**Adjudicating Officer**