



**REAL ESTATE REGULATORY AUTHORITY (RERA)**  
**IN THE COURT OF ADJUDICATING OFFICER**  
4<sup>TH</sup> & 6<sup>TH</sup> FLOOR, BIHAR STATE BUILDING CONSTRUCTION CORPORATION CAMPUS  
HOSPITAL ROAD, SHASTRI NAGAR  
PATNA-800023

**RERA/Execution Case No. 54/2020**

**RERA/CC/460/2019**

**RERA/AO/112/2019**

Mr. Rabindra Singh ..... Complainant/Executant  
Vs  
M/s Agrani Homes Real Services Pvt Ltd. .... Respondent

**Project: AGRANI RESIDENCY**

**ORDER**

**12/12 /2022:**

Hearing taken up. Mrs. Dimpal Kumari, wife of the executant is present, but the respondent is absent.

The executant has filed this execution case for execution of the order dated 10.02.2020 passed in Case No. RERA/CC/460/2019/RERA/AO/112/2019 by which this Court has been pleased to allow the complaint case on contest with litigation cost of Rs.20,000/- (Rupees twenty thousand) against the respondents and the respondents were directed to refund the advanced principal amount of Rs.7,60,000/- (Rupees Seven lacs, sixty thousand) along with accrued simple interest as on the date of the order of Rs.1,72,047/- (Rupees one lac, seventy-two thousand and forty-seven) @ 10.15% per annum on Rs.7,60,000/- to the complainant. The respondents were also directed to pay simple interest @ 10.15% per annum till the date of refund. The respondents were further directed to pay Rs.1,50,000/- (Rupees one lac fifty thousand only) to the executant as compensation for his physical and mental harassment. The respondents were also directed to comply with the

order within 60 (sixty) days, failing which the complainant/executant is entitled to get enforced the order through the process of the court.

The wife of the executant submits that when the respondent did not comply with the aforesaid order within the stipulated period then the executant has no other option but to file this execution case. She further submits that the respondent is not ready to comply with the order dated 10.02.2020 passed in Case No. RERA/CC/460/2019/RERA/AO/112/2019 and prays to send requisition to the District Magistrate, Patna for recovery under the P.D.R. Act.

Perused the records. From perusal of the record it appears that in spite of knowledge of the above order dated 10.02.2020 neither the respondents have 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.

Therefore, the execution petition of the executant is allowed and Public Demand Recovery 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 Demand Recovery Act, 1914 with a copy to the executant and send the same to the District Magistrate, Patna for recovery of the above principal amount along with interest accrued on principal amount as also the litigation cost and compensation against the respondents.

Accordingly, the execution case is disposed of.

Sd/-

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