



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

Execution Case No.279/2022

RERA/CC/1512/2020

Prabhat RanjanComplainant/Executant
Vs
M/s Agrani Homes Pvt. Ltd. Respondent

Project: POWER GRID NAGAR

ORDER

11/03/2024:

Hearing taken up. Heard Mr. Sanjay Sinha, 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 12.04.2022/13.04.2022 passed in Case No. RERA/CC/1512/2020 by a Double Bench of the Authority comprising of Mr. Naveen Verma, Chairman and Mrs. Nupur Banerjee, Member, whereby the Double Bench of the Authority while disposing of the case, was pleased to direct the respondent Company and their Directors to refund Rs.9.29,040/- deposited by the complainant/executant along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for two years from the date of taking the booking within sixty days of the issue of the 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

12.04.2022/13.04.2022 passed in Case No. RERA/CC/1512/2020 and prays to send requisition to the District Magistrate, Patna for recovery under the P.D.R. Act.

4. As directed, learned counsel for the executant files a certified copy of the order impugned. 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 12.04.2022/13.04.2022 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.

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 executant and send the same to the District Magistrate, Patna for recovery of the above amount along with interest at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for two years from the date of taking the booking against the respondents.

Accordingly, the execution case is disposed of.

Sd/-

(Ambrish Kumar Tiwari)
Adjudicating Officer