



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

RERA/Execution Case No.157/2024

RERA/CC/853/2019

RERA/AO/243./2019

Sanjay Kumar Complainant/Executant
Vs
M/s Agrani Homes Pvt. Ltd. Respondent

Project: AGRANI I.O.B. NAGAR

ORDER

17/10/2024:

Hearing taken up. Heard the executant in person, but there is no representation on behalf of the respondent.

2. The executant has filed this case for execution of the order dated 06.02.2024 passed in Case No. RERA/CC/853/2019/RERA/AO/243/2019 by which this court has been pleased to allow the complaint case for compensation with litigation cost of Rs.30,000/- (Rupees thirty thousand only) against the respondents and the respondents were directed to pay compensation of Rs.5,00,000/- (Rupees five lacs only) to the complainant/executant for his physical and mental harassment. The respondents were also directed to comply with the order within 60 (sixty) days from the date of the order, failing which the complainant/executant is entitled to get enforced the order through the process of the court.

3. 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. It is further submitted that the respondent is not ready to comply the order dated 06.02.2024 passed in Case No. RERA/CC/853/2019/RERA/AO/243/2019 and prays to send requisition to the District Magistrate, Patna for recovery of the aforesaid amount under the P.D.R. Act.

4. Perused the records and from perusal of which it appears that in spite of knowledge of the above order dated 06.02.2024 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.

5. 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 compensation amount along with litigation cost against the respondents.

Accordingly, the execution case is disposed of.

Sd/-

(Amrish Kumar Tiwari)
Adjudicating Officer