REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Hon'ble Chairman Mr. Vivek Kumar Singh, RERA, Bihar.

RERA/Exe/445/2024
RERA/CC/227/2022

Vinod Kumar .... Executant/Complainant

Vs

M/s Grih Vatika Homes Pvt. Ltd. .... Respondent

Project: **URMILA VATIKA, SINGLE BLOCK.**

Present: For Complainant: In person.
For Respondent: Mr. Mohit Raj, Adv.

13.05.2026 **O R D E R**

1. Hearing taken up. The complainant is present in person. Learned counsel Mr. Mohit Raj appears on behalf of the respondent.

2. From the perusal of the record it is clear that the respondent has continuously flouted the directions of the Authority and have virtually duped the homebuyers. It is pertinent to note that the same respondent has not responded in the matters pertaining to the other complainants as well. It is obvious that the respondent has no intention of refunding the directed amount.

3. The complainant is at liberty to invoke the provisions of Negotiable Instruments Act, 1881 (NI Act) and Bhartiya Nyaya Sanhita Act, 2023 (BNS Act) for the offences liable for penal action under the aforesaid Acts.

4. While technically an FIR ought to have lodged for action against the respondent company but as many of the homebuyers may be afraid and intimidated by the respondent company, this proceeding is being sent to the Enforcement Directorate, Bihar for taking necessary action against the respondent company and their Directors as per law so that the amount due to the instant complainant and various other complainants seeking relief against this respondent company, can be restituted through due process of law.

5. The Authority directs the Secretary, RERA Bihar to send the list of Execution cases which have been filed/initiated against the respondent company with all the details available including the details of the Directors, different projects initiated by the respondent and other necessary details to the Enforcement Directorate, Bihar.

6. With the aforesaid direction to the complainant to take recourse to the N.I Act and B.N.S, if he deems fit, and direction to Secretary, RERA Bihar for referring the matter to Enforcement Directorate, Bihar for information and necessary action, the case in hand, with the consent of the complainant, may be referred for recovery action under PDR Act.

7. Thus, in consequence of the same, the Authority directs that in order to recover the amount mentioned in the order dated 21-08-2024, a certificate of 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 Section 4/5 of the Bihar and Orissa Public Demand Recovery Act, 1914.

8. A copy of the order be sent to the Collector, Patna, for recovery of the aforesaid amount.

With the above direction, the proceeding is dropped accordingly.

Sd/-

(Vivek Kumar Singh)
Chairman