

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

Exe. Case No. 186/2024
RERA/CC/998/2020

Sunita Devi

....Executant(s)/Complainant(s)

Vs

M/s Divya Construction Pvt. Ltd.

....Respondent

PROJECT- Narendra Sadan

For the complainant:

Mr. Mohit Raj (Adv.)

For the respondent :

None

20.07.2026

O R D E R

On order of the Authority, notices were issued to both the parties for appearance in the present execution case and with direction to the respondent to comply with the order dated **18.01.2022** passed by Smt. Nupur Banerjee, the Hon'ble Member of the Authority, RERA, Bihar in **RERA/CC/998/2020**, whereby the Hon'ble Member directed the respondent to adjust the 381 sq. ft as per development agreement dated 13.02.2013 and to pay the amount as per the present prescribed government circle rate of the area, whereon Shri Mohit Raj, learned counsel on behalf of executant is present, but none is present on behalf of respondent. In spite of sufficient time, the respondent has failed to comply with the order dated 18.01.2022 passed by Hon'ble Member of the Authority.

2. It is observed that neither the respondents have complied with the order dated **18.01.2022** passed in the above case by the Hon'ble Authority nor are they showing any interest to do so. In such view of the matter, the executant cannot be left to suffer for an indefinite period as the court has to do justice equally to both the parties.

3. Since the Hon'ble Bench of the Authority has directed the respondent company to adjust the 381 sq. ft as per development agreement dated 13.02.2013 and to pay the amount as per the present prescribed government circle rate, the Bench observes that it is the responsibility of the Directors of the respondent company to arrange the necessary resources to make payment of amount.

4. Therefore, in the light of section 40 (1) of RERA Act, read with Rule 25 of Bihar RERA Rules, 2017, the amount against the 381 sq. ft. area as per the present prescribed government circle rate of the area should be recovered from the respondent. Accordingly, the recovery certificate with a copy to the executant under section 4/5 of Bihar and Orissa Public Demands Recovery Act, 1914 be issued and sent to the Collector, Patna for recovery of the amount as per the present prescribed government circle rate as per the order dated **18.01.2022** passed by Hon'ble Member of the Authority in the above case. The Collector, Patna is requested to inform the Authority as to the continuous process of action taken from time to time and finally after the payment is made to the Executant.

Sd/-
(Ved Prakash)
Special Presiding Officer
20.07.2026