

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr.Ved Prakash,
Special Presiding Officer
Exe. Case No. 199/2024
RERA/CC/635/2022

Krishna Prasad

....Executant(s)

Vs

M/s Sri Anuanand Construction Pvt. Ltd.

....Respondent

PROJECT- **Sai Enclave, Block -I**

For the complainant:

Ms.Snigdha (Adv.)

For the respondent :

None

23.06.2026

O R D E R

Hearing is taken up. Ms. Snigdha, learned counsel on behalf of executant is present, but the respondent is absent.

2. Learned counsel for executant submits that the instant execution case has been filed seeking direction to the respondent to comply with the order dated 31.01.2024 passed in RERA/CC/635/2022 by the Authority whereby and whereunder the respondent company was directed to complete the construction and hand over flat No.G3 in Block I to the complainant by 31.03.2024. The Hon'ble Authority further directed the respondent company and its Director, Shri Bimal Kumar to pay interest at the marginal cost of funding rate of SBI, as applicable for three years or more, plus two percent on the deposit made by the complainant for every month of delay starting from 14.07.2021 till the date the completed flat is handed over to the complainant.

3. There is no representation on behalf of respondent company although Shri Mukul Kumar Singh, learned counsel on behalf of respondent was present on two consecutive dates, 29.04.2025 and 08.07.2025 without vakalatnama. On both date of proceedings, learned counsel for respondent submitted that the matters with respect to the project was being heard by Hon'ble High Court. But the respondent promoter has neither filed any reply nor has complied with the order dated 31.01.2024 passed in complaint case no. 635/2022.

4. Considering the submissions / arguments advanced on behalf of the parties as well as on going through the record, the Bench observes that the respondent promoter has failed to comply with the order passed by the Authority in the said complaint case. The bench further observes that though the matter is subjudice before the Hon'ble High Court, no stay order of the Hon'ble High court has been produced before this bench. In such circumstances, it was incumbent upon the respondent promoter to comply with the said order of the Authority dated 31.01.2024 in its letter and spirit. This bench vide order dated 08.07.2025 during the proceedings, after hearing both the parties, directed the respondent to complete the project following all legal formalities and deliver possession of flat and execute sale deed as per direction of the Hon'ble Authority. The Bench also finds that the Authority in its order dated 31.01.2024 held that the possession ought to have been given by 14.07.2020 as per the agreement for sale. A period of nine months was condoned owing to the COVID 19 pandemic. Therefore, the interest on every month of delay was payable from 14.07.2021 for which the recovery certificate for recovery of interest amount of Rs. 12,09,118/- has been issued and proceedings thereof is still continuing before the certificate officer, which is the fallout of order dated 31.01.2024 passed by Authority.

5. After giving careful consideration to the matter, the Bench holds that the respondent promoter has still not complied with the said order of the Authority dated 31.01.2024. Hence, Shri Bimal Kumar, Director of the respondent company is directed to complete the project, Sai Enclave, Block -I following all the legal formalities and deliver possession of flat No.G3 in Block I of said project and execute sale deed as per direction of the Authority in favour of the complainant/executants within a period of two months from the date of issue of this order.

With these observations/directions, the instant execution case is disposed of.

Sd/-

(Ved Prakash)

Special Presiding Officer