

## **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Full Bench of Hon'ble Chairman, Mr. Vivek Kumar Singh &  
Hon'ble Members Mrs. Nupur Banerjee & Mr. S.D. Jha, RERA Bihar,**

RERA/Exe./410/2022

RERA/CC/724/2019

Piyush Kumar Srivastava ..... Complainant

Vs.

M/S Sarvodaya Marketing Pvt. Ltd. .... Respondent

For the complainant: Mr. Amrendra Kr. Pathak, Advocate

For the Respondent: Ms. Kriti Suman, Advocate

**Project:--SARVODAYA CITY**

### **ORDER**

**10.07.2024** Hearing taken up. Mr. Amrendra Kr. Pathak, Advocate, appears for the complainant. Ms. Kriti Suman, Advocate, appears for the respondent.

Learned counsel for the complainant submits that till date payment has not been made by the respondent – promoter in spite of specific direction given by the Authority vide proceeding dated 12.06.2024. He also submits that today he has filed supplementary affidavit indicating the total payment to be made as on date.

Learned counsel for the respondent submits that due to financial crunch the respondent – promoter has not been able to make payment to the complainant and she requests for time to make payment, to which the complainant's counsel submits that the respondent may not be granted further time as more than sufficient time has been given to him.

The Authority observes that in spite of specific direction vide proceeding dated 12.06.2024, the respondent has not made payment to the complainant. Hence, the authority is left with no option but to pass an order for recovery of the

amount of Rs.43,37,475/- along with interest as the respondent cannot be allowed to linger the matter for an indefinite period.

Therefore, let Public Demand Recovery be issued u/s 40(1) of the RERA Act, 2016 read with Rule 25 of the Bihar Estate (Regulation and Development) Rules, 2017 read with Section 4/5 of the Bihar and Orissa Public Demand Recovery Act, 1914 and send a copy to the Collector, Patna, for recovery of the aforesaid amount along with interest as ordered by the Full Bench for the period of default of payment continues till the date of payment is made as described in Section 63 of the Act.

With the aforesaid observation and directions, this case is disposed of.

Sd/-  
**S.D. Jha**  
**Member**

Sd/-  
**Nupur Banerjee**  
**Member**

Sd/-  
**Vivek Kumar Singh**  
**Chairman**