

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

Exe. Case No./281/2024
RERA/CC/04/2022

Shiv Kumari Devi ...Executants(s)
Vs.
M/s Ghar Lakshmi Buildcon Pvt. Ltd. ...Respondent (s)

PROJECT- Income Tax Residency

For the Executant : Ms. Misa Bharti (Adv.)
For the respondent : None

11.03.2025

ORDER

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 **20.03.2023** passed by Smt. Nupur Banerjee, Hon'ble Member of the Authority in **RERA/CC/04/2022** and to refund the rest of amount of **Rs.9,06,120/-/-** along with interest to the executant / complainant on total principal amount of **Rs. 20,62,150/-** whereon Ms. Misa Bharti, learned counsel on behalf of executant is present, but the respondent is absent. In spite of sufficient opportunity granted to the respondent to comply the order of the Hon'ble Member, the respondent is sitting tight over the matter and not making refund of the amount.

2. It is observed that neither the respondents have complied with the order dated **20.03.2023** passed in the above case by Hon'ble Member of the Authority nor are they ready to comply. In such view of the matter, the executant cannot be left to suffer for indefinite period as the court has to do justice equally to both the parties.

3. Since the executant has requested for refund of the rest of amount with interest, the Bench notes that it is the responsibility of the Directors of the respondent company to arrange the necessary resources to process the refund to the executant.

4. Therefore, in the light of section 40 (1) of RERA Act, read with Rule 25 of Bihar RERA Rules, 2017, the above amount along with the accrued interest has to be recovered from the respondent and the same has to be paid to the executant. 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 above amount of **Rs. 9.06.120/-** along with interest on total Principal amount of **Rs. 20,62.150/-** as per the order dated **20.03.2023** passed by Hon'ble Member of the Authority in the above case. The Collector, Patna is requested to inform the Authority about the continuous process of action taken from time to time and finally after the refund is made to the Executant.

Sd/-
(Ved Prakash)
Special Presiding Officer
11.03.2025