

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

**Hon'ble Member Mr. S.D. Jha, RERA, Bihar,**

RERA/EX./429/2022

RERA/CC/757/2021

Madhu Shalini ..... Complainant

Vs.

M/s Samrat Vijay Construction Pvt. Ltd. ....Respondent

For the complainant: Mr. Jitendra Kumar, nephew,

For the Respondent: None

**Project:- Dwarika City Centre**

**ORDER**

**27.08.2024** Hearing taken up. Mr. Jitendra Kumar, nephew, appears for the complainant through authorization letter. The respondent is absent.

Mr. Jitendra Kumar submits that in spite of the direction vide proceeding dated 26.06.2024 the respondent has not paid the remaining amount of Rs.5,00,000/- within fifteen days.

The Authority notes that vide order dated 06.07.2022 a penalty of Rs.1,00,000/- and a cost of Rs.25,000/- were also imposed upon the respondent but the same have also not been deposited in spite of submission made on 26.06.2024 that the same would be deposited within seven days failing which a further penalty of Rs.25,000/- would be imposed. Accordingly, further penalty of Rs.1000/- per day is being imposed upon the respondent and it will continue till the penalty and cost amount is deposited. Let a copy of the order be sent to the compliance wing, RERA, for taking necessary steps for recovery of the aforesaid amount.

Perused the record. The respondent failed to file any reply or appear before the Authority today in the proceeding.

The Authority observes that despite knowledge of the order in the said complaint, the respondent has neither complied with the order nor has filed any reply, nor appeared in the case. Hence, for equity and justice, the Authority is completed to pass an order for the recovery of the said amount, as the respondent cannot be allowed to prolong the matter indefinitely.

The Authority directs that in order to recover the amount of Rs.5,00,000/- along with interest as mentioned in the order dated 06-07-2022, 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.

In view of the continued non-compliance of the order of the Authority, a penalty of Rs. 50,000/- has been imposed on the respondent by the Authority under Section 63 of the Act, which may be recovered through a certificate along with the aforesaid amount.

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

Accordingly, this matter stands disposed of.

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