

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Special Presiding Officer

Mr. Ved Prakash, RERA, Bihar

Exe. Case No. 358/2024

RERA/CC/ 441/2023

Smt. Urmila Devi

..... Complainants/ Executants

Vs

M/s D.P.M. Infrastructure and Housing Pvt. Ltd.

....Respondent

Project: D.P.M. Pearl

For the Complainant/ Executant

: Shri Bibhuti Narayan, Adv.

For the Respondent/s

: None.

16/06/2025

PROCEEDING

Learned counsel Shri Bibhuti Narayan on behalf of the executant is present but respondent is absent.

Learned counsel by filing a petition on affidavit on behalf of the executant Urmila Devi submits that the executant is landowner of the project and the respondent- promoter without making proper development of share of the executant as per order dated 25.07.2024 passed by Hon'ble Member Shri S.D. Jha in RERA/CC/441/2023 is absconding and he has further not paid penalty of Rs. 5,000/- till 15.07.2024 and later on he has also failed to pay an additional penalty of Rs. 5,000/- per day since 01.08.2024 till the date of payment as per order of the Hon'ble Member. Hence, warrant of arrest against the respondent- promoter Shri Pankaj Kumar Singh may be issued for compliance of the order of the Hon'ble Member.

Considering the submission as well as affidavit petition of the executant and going through the record it appears that the Hon'ble Member, Shri S.D. Jha in RERA/CC/441/2023 on 25/07.2024 has directed the respondent to deliver possession of 47% share of the total constructed flats including the car parking to the complainant- landowner after completing constructions work with all amenities as per agreement as well as after completing the legal formalities within two months from the date of order. The

Hon'ble Member has further directed in the above order to the respondent-promoter to pay penalty of Rs. 5,000/- before 25.07.2024 as the same was imposed on 25.06.2024 but instead of depositing penalty the respondent absconded, so the Hon'ble Member has imposed additional penalty of Rs. 5,000/- per day since 01.08.2024 till the date of payment but till date the respondent has failed to deposit the penalty in the account of the Authority. Hence, the respondent-promoter is defaulter in all aspects.

The respondent in spite of knowledge of the pendency of the present case has failed to appear before the Bench and to comply the order passed by the Hon'ble Member, hence the Bench has no option but to issue warrant of arrest against the respondent- promoter Shri Pankaj Kumar Singh for non-deposit of the penalty amount mentioned above and also for non-compliance of order of the Hon'ble Member and not making delivery of share of the executant after completing all the formalities.

Accordingly, issue warrant of arrest against the respondent- promoter Shri Pankaj Kumar Singh under the provisions of Order 21 Rule 38 C.P.C. read with section 40(1) of RERA Act, 2016 and Rule 25 of Bihar RERA Rules, 2017 and send to S.S.P., Patna for execution of warrant as per order of the Hon'ble Member.

Put up on 28.07.2025 for appearance of respondent and hearing.

Sd/-
(Ved Prakash)
Special Presiding Officer
RERA, Bihar