

Chief Justice's Court

Case :- WRIT - C No. - 37956 of 2023

Petitioner :- Sameer Jain

Respondent :- State Of Uttar Pradesh And 4 Others

Counsel for Petitioner :- Utsav Singh

Counsel for Respondent :- C.S.C., Ashish Mishra, Mohd. Afzal

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Ashutosh Srivastava, J.

1. Heard Sri Bhawesh Rai, learned counsel for the petitioner, Sri Mohammad Afzal, learned counsel for respondent no. 3, Sri Ashish Mishra, learned counsel for respondent no. 2. Learned Standing Counsel has put in appearance on behalf of the State-respondents.

2. By means of present petition, the petitioner claims issuance of writ of mandamus commanding the respondent no. 4 to execute the order dated 13.09.2022 in accordance with the provisions of Rule 24 of the Uttar Pradesh Real Estate (Regulation & Development) Rules, 2016.

3. At the very outset, Sri Ashish Mishra, learned counsel for respondent no. 3 submits that the money, that is, due to be paid to the petitioner, has already been deposited with the Real Estate Regulatory Authority (for short 'RERA') in compliance of the direction of this Court issued in Writ-C No. 13818 of 2023 on 30.05.2023. He further submits that since direction has been issued by this Court to disburse the payment in seriatum, hence the petitioner should wait for his turn to receive the payment.

4. Sri Mohammad Afzal, learned counsel appearing on behalf of RERA submits that post dated cheques have been deposited with the respondent no. 4 and the money shall be disbursed to the petitioner as and when his turn comes.

5. In view of the above, no further adjudication is required to be made by this Court in the present writ petition. Accordingly, the same is consigned to record.

Order Date :- 3.11.2023

Deepak/

(Ashutosh Srivastava, J.)

(Pritinker Diwaker, C.J.)