Court No. - 39

Case :- WRIT - C No. - 38750 of 2023

Petitioner :- Manoj Bhatia And Another
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Pradeep Kumar Upadhyay
Counsel for Respondent :- C.S.C,Mohd. Afzal

Hon'ble Saumitra Dayal Singh,J.
Hon'ble Shiv Shanker Prasad,J.

1. Heard Mr. Pradeep Kumar Upadhyay, learned counsel for the petitioners, Mohd. Afzal, learned counsel for Real Estate Regulatory Authority and learned Standing Counsel for the State.

2. Present writ petition has been filed seeking a direction upon respondent no.2 to ensure prompt recovery of Rs.25,69,126.68/- together with interest from respondent no.5 under recovery certificate dated 25.8.2023.

3. At the outset it has been informed that in similar facts, Writ C No. 36251 of 2022 (Amit Kumar Vs. State of U.P. and 4 others) has been disposed of vide order dated 29.11.2022. For ready reference the operative portion of that order is quoted below:-

"Having regard to the above submissions, we dispense with the service of notice upon respondent No. 4 and dispose of the writ petition with direction to respondent-District Magistrate to make serious endeavor to execute recovery certificate dated 05.10.2020 as expeditiously as possible preferably within a period of two months provided there is no legal impediment. In case, there is any legal impediment, the District Magistrate will pass a speaking order within two weeks from the date of receipt of a true attested copy of the instant order."

4. In view of similarity of facts shown the present writ petition is also disposed of on the same terms (qua recovery certificate dated 25.8.2023) noted above.

Order Date :- 8.11.2023
Abhishek Singh

(Shiv Shanker Prasad,J.) **(Saumitra Dayal Singh,J.)**

Digitally signed by :-
ABHISHEK SINGH
High Court of Judicature at Allahabad