

Court No. - 39

Case :- WRIT - C No. - 38960 of 2023

Petitioner :- Rajneesh Kumar Ojha

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Neetu Singh, Nishant Kumar, Prashant Kumar Bhardwaj

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

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Heard learned counsel for the petitioner, 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.1,31,47,357.00/- and Rs. 10,303,100.88/- together with interest from respondent nos.4 and 5, respectively, under recovery certificates dated 17.2.2023 and 19.2.2020.

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 certificates dated 17.2.2023 and 19.2.2020), noted above.

Order Date :- 8.11.2023

Abhishek Singh

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