

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 2990 of 2018

M/s Amrit Homes Private Limited through its Authorized Signatory, Shri Pritpal Singh Bindra S/o Shri Dalip Singh Bindra, Regd. Office 17 Zone II, M.P. Nagar, Bhopal, Distt Bhopal Madhya Pradesh. **--- Petitioner**

Versus

1. Union of India through the Secretary Ministry of Housing & Urban Poverty Elevation, Nirman Bhawan, New Delhi., District : New Delhi, Delhi
2. Chairman Real Estate Regulatory Authority Shastri Chowk, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Las Vista Residents Welfare Society Through Its President, Mr. Kirti Vyas, S/o Late Shri N.P. Vyas, Aged About 58 Years, VIP Road, Amlidih, Raipur, , District : Raipur, Chhattisgarh
4. M. Ahuja Project (India) Private Limited through its Director Mahendra Ahuja, R/o Sai Kunj, Shri Kali Mata Mandir Road, Civil Line, Raipur, District : Raipur, Chhattisgarh
5. Raghu Ventures Private Limited through tts Director, Shri P. Adarsh, R/o 42/245, Near Cseb Officer, Civil Lines, Raipur, District : Raipur, Chhattisgarh
6. Shri Vamsi Pericherla R/o 42/245, Near Cseb Office, Civil Lines, Raipur, District : Raipur, Chhattisgarh
7. Nagrik Sahkari Bank through its Manager, Branch Rajendra Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh **--- Respondents**

13.05.2019	Mr. Prafull Bharat, counsel for the petitioner. Mr. B. Gopa Kumar, Asst. Solicitor General for respondent no.1/Union of India. Mr. Abhinav Kardekar, counsel for respondent No.3. Ms. Prachi Agrawal, counsel for respondents 4, 5 & 6. Learned counsel for respondent No.3 has placed the certified copy of the order dt. 03.05.2019 for perusal and would submit that already the case has been heard and fixed for orders. Learned counsel for the petitioner would submit that the petitioner has raised preliminary objection about the	

R a o	maintainability on the point of jurisdiction, therefore, this petition may be heard. A perusal of the order sheet dt. 03.5.2019 would show that the original case pending before the Real Estate Regulatory Authority (RERA) has finally been heard and it is fixed for orders. In such case when the case is fixed for orders, no case is pending as on date. The order sheet dated 04.09.2018 would show that the Authority has recorded that the objection raised by the petitioner shall be considered at the time of final arguments. Therefore, it appears that the RERA would decide the objection. In view of the subsequent development, this Court is not inclined to go through and adjudicate the petition at this stage. However, in future if any eventuality arises, the petitioner, if so advised, may raise all the grounds against the final orders which may be passed by the Authority in the course of time including issue of the jurisdiction of RERA before the appropriate Court. With the above observation, this petition is disposed of. Sd/- GOUTAM BHADURI JUDGE	
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