

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5389 of 2023

Ram Bilas Mahto Son of late Ram Narayan Mahto, resident of C/O Kaushalya Devi, Kunwar Singh Colony, Hinoo Airport Road, Ranchi, P.S.- Doranda, District- Ranchi (Jharkhand) and Resident of village and P.O.- Manjhaul (Gandhi Tola), P.S.- Cheriabariyarpur, District- Begusarai (Bihar), presently residing at Blue Sapphire Apartment, Flat No. 3/C, Block A, Ashok Kunj, Dhela Toli, Harmu, Ranchi, P.S.- Harmu, District- Ranchi Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Real Estate Regulatory Authority, through its Registrar, Patna.
3. The Registrar, The Real Estate Regulatory Authority, Patna.
4. The Real Estate Appellate Tribunal, through its Registrar, Patna.
5. The Registrar, The Real Estate Appellate Tribunal, Patna.
6. M/S Kanan Dream Homes Pvt. Ltd. through its director namely Bibha Kumari registered office at Maa Ambika Complex Mahabir Path West Patelnagar, P.S.- Shastri Nagar, District and Town- Patna.
7. Smt. Bibha Kumari Wife of Late Subodh Kumar, the Director, M/S Kanan Dream Homes Pvt. Ltd. registered office at Maa Ambika Complex Mahabir Path West Patelnagar, P.S.- Shastri Nagar, District and Town- Patna. Presently, residing at C/o Anjani Kumar Sinha, B/68, Housing Colony, Kankarbagh, P.S.- Kankarbagh, District and Town- Patna.
8. Sri Jagat Prasad Singh Son of Late Ramchandra Singh, resident of Village- Rukunpura, P.O.- B.V. College, P.S.- Rupaspur, District- Patna.
9. Sri Deo Prasad Singh Son of Late Ramchandra Singh, resident of Village- Rukunpura, P.O.- B.V. College, P.S.- Rupaspur, District- Patna.
10. Sri Nawal Kishore Singh Son of Late Ramchandra Singh, resident of Village- Rukunpura, P.O.- B.V. College, P.S.- Rupaspur, District- Patna.
11. Sri Sunil Kumar Son of Late Ramchandra Singh, resident of Village- Rukunpura, P.O.- B.V. College, P.S.- Rupaspur, District- Patna.
12. Sri Raj Kumar Son of Late Ramchandra Singh, resident of Village- Rukunpura, P.O.- B.V. College, P.S.- Rupaspur, District- Patna.
13. Sri Keshav Ranjan Son of Late Ramchandra Singh, resident of Village- Rukunpura, P.O.- B.V. College, P.S.- Rupaspur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Nityanand Mishra, Adv.
For the Respondent/s	:	Mr.Subhash Prasad Singh, GA-3
		Mr.Shiv Kumar, AC to GA-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH



ORAL ORDER

2 16-10-2023 1. The learned counsel for the respondents no.2 and 3 i.e. Real Estate Regulatory Authority has referred to Section 58 of the Real Estate (Regulation and Development) Act, 2016, to submit that in case any person is aggrieved by the decision or order of the appellate tribunal, he may file an appeal to the High Court, hence, it is submitted that the present writ petition is not maintainable.

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however seeks liberty on behalf of the petitioner to file appropriate appeal against the impugned order dated 21.10.2022, passed by the Real Estate Appellate Tribunal, Bihar in Reat Appeal No.52 of 2022. Liberty so sought is granted.

3. Accordingly, the present writ petition stands disposed off as not pressed, however, with the aforesaid liberty.

(Mohit Kumar Shah, J)

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