

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5177 of 2023

Manoj Kumar son of Shri Bishundhari Singh, Resident of Village- Karari, P.O.- Dhobha Bazar, P.S.- Ara Muffasil, District- Bhojpur at Ara and presently residing at Mohalla- Ajij Road, Near Shivam Public School, Gauriyamath, Mithapur, P.O. G.P.O Patna, P.S. Gardanibagh, District and Town- Patna.

... .. 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. Mr.Alok Abhinav, Adv.
For the State	:	Mr.Abbas Haider, SC-6 Mr.Subhash Prasad Singh, GA-3 Mr.Ravish Chandra, AC to SC-6
For RERA	:	Mr.Jainandra Kumar, Adv.



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.53 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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