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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 14194/2024, CM APPL. 59397-59398/2024

RAKESH KUMAR GAUR

.....Petitioner

Through: Mr. Ashish Mohan, Dr. Sunil Mittal,
Dr. Shivam Bajaj, Dr. Akash Tandon,
Ms. Surbhi Mittal and Mr. Harsh
Mittal, Advocates.

versus

GOVT OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Avni Singh, Advocate for R-1, 2.

+ W.P.(C) 14226/2024, CM APPL. 59584-59585/2024

RAKESH KUMAR GAUR

.....Petitioner

Through: Mr. Ashish Mohan, Dr. Sunil Mittal,
Dr. Shivam Bajaj, Dr. Akash Tandon,
Ms. Surbhi Mittal and Mr. Harsh
Mittal, Advocates.

versus

GOVT OF NCT OF DELHI AND ORS

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

08.10.2024

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1. The Petitioner has filed the present petitions, seeking a direction to Respondent Nos. 1 and 2 to effect recoveries from Respondent Nos. 3 and 4 in terms of Recovery Certificates dated 2nd December, 2023 and 16th December, 2023 issued against Respondent Nos. 3 and 4, and in favour of the Petitioner. The said recovery certificates were issued pursuant to



complaints filed by the Petitioner before Real Estate Regulatory Authority at Greater Noida, seeking refund from Respondent Nos. 3 and 4, on account of delay in handing over possession of properties bearing no. D5- 803 and D2- 603 in the real estate project “Parsvnath Exotica”. The said complaints were adjudicated in favour of the Petitioners and against Respondent Nos. 3 and 4, leading to the issuance of the recovery certificates.

2. Thereafter, the Petitioner made representations to Respondent No. 2 for initiation of necessary action against Respondent Nos. 3 and 4 for execution of the said recovery certificates. He also sent a legal notice to Respondent No. 1 and 2 to the said effect, however, no action, according to the Petitioner, has been taken, prompting them to file the instant petition.

3. Considering the aforementioned facts, Ms. Avni Singh, counsel for Respondent Nos. 1 and 2, hands over a copy of communication dated 11th September, 2024 sent by office of Sub-Divisional Magistrate, Shahdara to District Magistrate, Ghaziabad, relating to the recovery certificates in question.

4. In view of the above, it appears that the recovery proceedings are currently underway. Accordingly, the present writ petitions are disposed of with a direction to the Respondents to look into the representations of the Petitioners and take appropriate action, in accordance with law as expeditiously as possible.

5. With the aforesaid direction, the petitions are disposed of along with pending applications.

SANJEEV NARULA, J

OCTOBER 8, 2024

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