

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11866 of 2023

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The Real Estate Regulatory Authority Bihar, through its Secretary, Office at 6th Floor, Bihar State Building Construction Corporation Campus Hospital Road, Shastri Nagar, Patna-800023.

... .. Petitioner/s

Versus

1. Gopal Prasad Singh S/o Late Naresh Chandra Singh, Near Dhaneshwari Girls School, Gola Road, Gajadharchak, Danapur, Patna-801503.
2. M/s Jascon Enterbuild Ltd. through its Directors Shashi Kant Singh, Vimala Kumari, Dharmendra Kumar Dhiraj and Mira Kumari, Office at 44C/Jascon Plaza Circular Road Ranhi at Present 3rd Floor, Maharajha Kameshwar Complex, Frazer Road, Patna-1
3. The Registrar, Real Estate Appellate Tribunal, 4th Floor Pant Bhawan, Baily Road, Patna - 800015, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jainandra Kumar, Advocate
For the Respondent/s	:	Mr.Jai Ram Singh
For Resp No.3	:	Mr.P.K. Shahi, Sr. Advocate
		Mr.Amish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

8 16-07-2025

Reg: Interlocutory Application No.02 of 2025

2. This IA has been filed on behalf of respondent no.3 i.e. the Registrar, Real Estate Appellate Tribunal, Bihar challenging the maintainability of the present writ application on the ground that no writ will lie against the order passed by the Real Estate Appellate Tribunal, Bihar and as per Section 58 of the Registrar, Real Estate Appellate Tribunal (Regional and Development) Act, 2016, only an appeal can be filed to the High Court against the order, passed by the Tribunal.

3. Learned Senior counsel Mr.P.K. Shahi submits that



the present writ application may be dismissed on ground of non-maintainability.

4. Learned senior counsel for the petitioner does not quarrel with the legal proposition that has been advanced on behalf of the respondent no.3.

5. Under the aforesaid circumstances, this writ application is held to be not maintainable and the petitioner is granted liberty to file a miscellaneous appeal, if he wants to challenge the order dated 14.06.2023, passed by the Real Estate Appellate Tribunal, Bihar.

6. With the aforesaid observation and direction the present writ application is dismissed as not maintainable with the aforesaid liberty granted. If a miscellaneous appeal is filed by the petitioner, the same shall be decided in accordance with law.

(Alok Kumar Sinha, J)

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