

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15792 of 2024**

1. Biresh Kumar S/o Ram Babu Prasad Resident of Quarter No. D-6 (old) BSEB Colony, P.S. Shastrinagar, District- Patna.
2. Veena Choubey, W/O Gautam Kumar Choubey, Resident of A/ 302 Snenams Enclave Road No. 10, Patelnagar, P.S. Shastrinagar, District- Patna.
3. Anuja Priya, D/O Sri Gautam Kumar Chaudhry, Resident of A/ 302, Snehams Enclave Road No. 10 Patel Nagar, P.S. Shastrinagar, District- Patna.
4. Atul Kumar Jha, S/O Yasonanad Jha Resident of Flat No. 503 R.K. Sodam Apartment Gola Road, near Bihar College of Pharmacy P.S. Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Government of Bihar
2. The District Magistrate cum Collector, District- Patna
3. Additional Collector cum Senior Office Certificate Office, District- Patna
4. The Special Officer Rationing cum certificate Officer, Collectorate, District- Patna
5. The Chairman Real Estate Regulatory Authority, District- Patna
6. Authorized Officer, Real Estate Regulatory Authority, District- Patna
7. M/S Agrani Homes Pvt. Ltd., through its Director Alok Kumar resident of Yogipur, Chitragupta Nagar P.S. Patrakar Nagar, P.S. Kankarbag, District- Patna

... .. Respondent/s

**Appearance :**

|                      |   |                              |
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| For the Petitioner/s | : | Mr. Ranjan Kumar Sinha, Adv. |
| For the Responder/s  | : | Mr. Government Pleader (10)  |
| For the State        | : | Mr. K.P. Gupta, GP-10        |
|                      |   | Mr. Satya Vrat, AC to GP-10  |
| For the RERA         | : | Mr. Jainandra Kumar, Adv.    |

**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

2      02-04-2025                      Heard the learned counsels for the parties.

2. This writ petition has been filed for seeking the  
following relief(s):

*(i) For a direction to the respondents*



*No. 2, 3 and 4 to comply the recovery certificate issued by Real Estate Regulatory Authority (RERA), Patna under section 40 (1) of the Real Estate (Regulation and Development Act 2016 and Rule 25 of Bihar Real Estate (Regulation and Development Act 2017 vide different letters pertaining to:-*

*a. Letter no. Exc.case-252/2022  
memo no. 222 dt. 20.20.2023*

*b. Letter no. Exc.case-251/2022  
memo no. 241 dt. 23.2.2023*

*c. Letter no. Exc.case-205/2021  
memo no. 318 dt. 11.4.2023*

*d. Letter no. ExE-197/2021 memo  
no.380 dt. 11.9.2024*

*(ii) That during pendency of the hearing and till final disposal of the present petition, this Hon'ble Court be pleased to issue Writ in the nature of Mandamus or any other appropriate Writ against the respondent no. 2,3, and 4 herein thereby mandating them to comply with the aforesaid orders by the Real Estate and Regulatory Authority, Patna within stipulated period of time as fixed by this Hon'ble Court.*

*Iii. That alternatively this Hon'ble Court may be pleased to appoint Special Certificate Officer to enable Speedy recovery of arrears from private respondent.*

*iv. That during pendency of the hearing and till final disposal of the present petition this Hon'ble Court be pleased to direct the respondent no.7 to disclose on oath the*



*details of all its moveable and immoveable assets and also its group Companies.*

*v. For that the respondent no.7 may be directed to deposit the principal amounts with interest till payment to the petitioners or any other amount as this Hon'ble Court may deem fit to be appropriated towards the decretal amount payable by the respondent no.7 to the petitioners.*

*vi) For any others relief/reliefs, which may be found proper and entitled to in the eye of law including the cost of litigation as the petitioners have been put to unnecessary harassment for no fault on their parts."*

3. This Court has directed the petitioner to take out notice to the Respondent No. 7. Office report is put up stating that the Respondent No. 7 could not be contacted and on speed post, it has been endorsed that no such person has lived at this address.

4. Learned counsel appearing on behalf of the petitioners has stated that the Respondent No. 7 is in custody since the last more than one and half years and the prayer sought for by the petitioner is only to direct the District Magistrate to dispose of the PDR cases pending before him as expeditiously as possible.

5. Learned counsel appearing on behalf of the



respondents-State has also stated that he has no objection if a direction may be given to the District Magistrate, i.e, Respondent No. 2 to dispose of the PDR cases pending before him strictly in accordance with law.

6. Having regard to the above made submissions, without going into the merits or demerits of the case, the present writ petition is disposed of directing the Respondent No. 2 to dispose of the PDR cases pending before him strictly in accordance with law duly putting all the parties on notice and giving them an opportunity of hearing as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the present writ petition stands disposed off.

**(A. Abhishek Reddy , J)**

Gauravkr/-

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