

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19519 of 2024

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Kumar Aditya Ranjan Son of Ashok Kumar Surana Resident of Defence Colony, Adarsh Gram, Road No. 1, Kolhua Paigambarpur, P.S.- Bairiya, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Bihar.
2. The Bihar Real Estate Regulatory Authority through its Chairman.
3. The District Collector, Patna.
4. The Agrani Homes Pvt. Ltd., a company registered under the Companies Act, 2013, having its registered office at House no. 15, Ward no. IFA, Patliputra Colony, Patna, through its legal representative, Satwik Singh, aged about 24 years, Gender Male, Son of Ajay Kumar Singh, resident of Village and PO- Siyadih, P.S.- Charpokhari, District- Bhojpur at Ara, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shilpi Keshri, Adv. Mr.Chandra Shekhar Kumar Singh, Adv.
For the Respondent/s	:	Mr.Government Pleader 7
For the RERA	:	Mr.Jainendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 08-01-2025 1. The present writ petition has been filed for directing the respondent authorities to initiate certificate proceedings against the private respondent no.4 for recovery of a sum of Rs.13,50,000/-, in pursuance to the order dated 09.06.2022, passed by the RERA in Case No. RERA/CC/22/2021, as also in pursuance to the order dated 02.05.2023, passed by the Bihar Real State Regulatory Authority (hereinafter referred to as “the RERA”), Patna, in Execution Case No. 416 of 2022 (RERA/CC/22/2021).

2. At the outset, the learned counsel for the petitioner



seeks a direction upon the District Magistrate, Patna, to ensure that the cases filed against the private respondents no.4 under the provisions of the Bihar and Orissa Public Demands Recovery Act, 1914 are concluded, expeditiously.

3. The learned counsels appearing for the respondents no.1 to 3 submit that they have got no objection if a direction is issued to the District Magistrate, Patna to ensure institution and disposal of the certificate proceedings, expeditiously.

4. Having regard to the facts and circumstances of the case, this Court is of the view that in case the RERA, Bihar, Patna has referred the matter, pertaining to recovery of the amount in question, in pursuance to the orders passed in Execution Case No. 416 of 2022 (RERA/CC/22/2021), filed by the petitioner before the RERA, Bihar, Patna, to the District Certificate Officer, Patna, for institution of appropriate cases under the Bihar and Orissa Public Demands Recovery Act, 1914, against the defaulting builder, it is incumbent upon the District Magistrate, Patna to ensure initiation/conclusion of the aforesaid cases, within a period of 12 weeks of receipt/production of a copy of this order.

5. Accordingly, the present writ petition stands



disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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