

Court No. - 2

Case :- WRIT - C No. - 2018 of 2022

Petitioner :- Smt. Shashi Gupta

Respondent :- State Of U.P. Thru. Prin. Secy. Housing And Urban Planning
Deptt. Lko. And 4 Others

Counsel for Petitioner :- Mohd. Khalid

Counsel for Respondent :- C.S.C., Shobhit Mohan Shukla

Hon'ble Devendra Kumar Upadhyaya, J.

Hon'ble Subhash Vidyarthi, J.

Heard the learned counsel for the petitioner, learned State Counsel and Sri Shobhit Mohan Shukla representing the Real Estate Regulatory Authority.

In view of the order proposed to be passed, it is not required to issue notice to the respondent no.5.

It appears that under the Real Estate (Regulation and Development) Act, 2016, an order was passed by the Adjudicating Authority on 09.05.2018 on some complaint made by the petitioner - Smt. Shashi Gupta.

Submission of the learned counsel for the petitioner is that despite the aforesaid order having been passed on 09.05.2018, the amount as ordered has not been recovered and the petitioner has thus still not received the said amount. Thereafter on record before us there is a recovery certificate issued on 05.07.2019 by the Secretary, U.P. Real Estate Regulatory Authority, Lucknow, which is addressed to the District Magistrate, Lucknow mentioned therein certain amount to be recovered as the arrear of land revenue.

Accordingly, we direct that the District Magistrate, Lucknow to execute the certificate dated 05.07.2019, if possible, within a period of four months from the date of production of certified copy of this order.

If apart from recovery of the amount, petitioner is still aggrieved by any act of omission or commission on the part of the respondent no.5, it shall be open to the petitioner to take recourse to the remedy available to her under the provisions of Real Estate (Regulation and Development) Act, 2016.

With the aforesaid observations and directions, the writ petition is finally **disposed of.**

Order Date :- 8.4.2022

Ashish pd.