

Court No. - 2

Case :- WRIT - C No. - 3577 of 2024

Petitioner :- Shakuntala Mishra

Respondent :- District Magistrate And 2 Others

Counsel for Petitioner :- Ashish Srivastava

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

Hon'ble Rajan Roy, J.

Hon'ble Om Prakash Shukla, J.

1. Heard.

2. The execution of recovery certificate issued by RERA on 21.07.2023 against the private opposite party herein is pending.

This is not the first case where this situation has arisen. In spite of several orders having been passed, no effective mechanism has been put into place.

3. The District Magistrate, Lucknow is directed to ensure monitoring of execution of such certificates issued by the RERA authorities on monthly basis and any delay in this regard will be taken seriously by this Court. This Court will now monitor the execution of such cases.

4. Let the District Magistrate, Lucknow file his own affidavit in the matter within three weeks. He shall give the details of all such Certificates received from RERA and status of its execution.

5. We will consider registration of suo moto Public Interest Litigation in this regard as the larger public interest of the complainants who have already approached and got an

adjudication from RERA is involved and is being prejudiced on account of non-execution of recovery certificates.

6. List this case on 27.05.2024.

7. The recovery certificate, which is the subject matter of this writ petition, shall also be given effect, unless there is any legal impediment in this regard in which case, this Court shall be informed on the next date.

(Om Prakash Shukla, J.) (Rajan Roy, J.)

Order Date :- 22.4.2024

Ajit