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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 17658/2024 & CM APPL. 75147-75148/2024**

PRERNA PAHWA

.....Petitioner

Through: Mr. Rajesh Mahendra, Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sameer Vashist, Standing
Counsel, GNCTD with Ms. Harshita
Nathrani, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

20.12.2024

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1. The Petitioner, one of the homebuyers of the project Parsavnath Exotica, had initiated action against Respondent Nos. 3 and 4 under Section 31 of the the Real Estate (Regulation and Development) Act, 2016,¹ before the Uttar Pradesh Real Estate Regulatory Authority, Greater Noida, UP, to secure possession of their flat.
2. The Pettitioner's complaint was allowed through order dated 15th June, 2021 with a direction to Respondent Nos. 3 and 4 to refund the amount deposited by the Petitioner.
3. The Petitioner is now seeking an execution of the said order under Section 63 of the RERA Act against Respondent Nos. 3 and 4.
4. In this regard, recovery certificate dated 13th April, 2023 has been



issued in favour of the Petitioner for an amount of INR 74,92,609/- directing the District Magistrate Ghaziabad to initiate the proceedings of recovery as per the recovery certificate. Counsel for the Petitioner contends that Respondent No. 2, SDM Shahdara, is not taking appropriate action for executing such recovery.

5. Issue notice. Mr. Sameer Vashisht, Standing Counsel for GNCTD, accepts notice and states, on instructions that he will file status report before the next date of hearing.

6. Re-notify on 14th February, 2025.

SANJEEV NARULA, J

DECEMBER 20, 2024

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¹ “RERA Act”