

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2660/2026

Ravi Surya Affordable Homes Private Limited

-----Petitioner

Versus

Mohd. Nahim Khan S/o Mohd. Ayub

-----Respondent

For Petitioner(s) : Mr. Hardik Mishra,
Mr. Akhilesh K Pareek

For Respondent(s) :

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

18/02/2026

Learned counsel for the petitioner submits that the petitioner filed an application under Section 31 of the Real Estate (Regulation and Development) Act, 2016 with the prayer to cancel the registered agreement to sale.

Learned counsel for the petitioner submits that the respondents filed reply to the application and also made a prayer that the applicant-petitioner be directed to handover the possession of the unit. The Authority without considering the material available on record, disposed of the application filed for cancellation of the agreement to sale and has ordered for handing over the possession of the unit to the respondents. He submits that the order for handing over the possession of the unit to the respondents may frustrate the purpose of filing the application.

Issue notice to the respondents of the writ petition as well as of the stay application, returnable within two weeks.



Till the next date of hearing, the effect and operation of the order dated 29.01.2025 passed by the Real Estate Regulatory Authority, Jaipur in Complaint No. Raj-RERA-C-N-2024-7293 shall remain stayed, if the possession of the unit has not been handed over as yet.

(GANESH RAM MEENA),J

Shruti Sharma/31