

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15002/2025

Unique Madhuban Homes Private Limited, Having Its Corporate Office At 4Th Floor, Unique Destination, Laxmi Mandir Crossing, Tonk Road, Jaipur-302015 Through Its Authorized Representative Mr. Abhishek Pal Singh S/o Mr. Ajay Pal Singh Aged About 49 Years.

-----Petitioner

Versus

1. Rajasthan Real Estate Regulatory Authority Jaipur, Through Its Chairperson, 2Nd Floor, Udhog Bhawan, Tilak Marg, Behind Rajasthan High Court, Jaipur
2. Rajendra Sharma S/o Bhanwar Lal Sharma, R/o Old No. 65, New No- 31/2, 2Nd Floor, Tk Hudalai Street Choolai, Chennai, Tamil Nadu 600112

-----Respondents

For Petitioner(s) : Mr. Harshal Tholia, Adv. with
Ms. Vidhi Maheshwari, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

04/11/2025

1. Learned counsel for the petitioner submits that vide letter dated 13.12.2017, the respondent No. 1 – Rajasthan Real Estate Regulatory Authority (hereinafter referred to as the 'Authority') exempted the petitioner from registering the township project "Unique City Phase 1" under the provisions of Real Estate (Regulatory & Development) Act, 2016 (hereinafter referred to as 'Act of 2016'), considering that the project has already commenced prior to the implementation of the Act of 2016. It is further submitted that, thereafter, vide order dated 02.01.2025 the Authority has reviewed its earlier letter dated 13.12.2017 and

directed the petitioner to refund the deposited money to respondent No.2 as the project was not registered, without having any authority to do the same.

2. Learned counsel for the petitioner prays that respondent No.2 has filed application for execution of the impugned order dated 02.01.2025, therefore, the effect and operation of the impugned order dated 02.01.2025 be stayed.

3. In that view of the matter, issue notice of the main petition as well as stay application to respondents by both modes i.e. by ordinary course as well as by registered post, returnable within six weeks.

4. Requisites be filed within a period of one week.

5. List the matter after six weeks.

6. In the meanwhile, the effect and operation of the impugned order dated 02.01.2025 passed in Complaint No. RAJ-RERA-C-2021-4207 shall remain stayed.

(ASHUTOSH KUMAR),J