2025:AHC-LKO:85467-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - C No. - 12561 of 2025

Bank Of Baroda, Regional Office Stressed Asset Recovery, Lko Metro Branch, Thru. Chief Manager .....Petitioner(s)

Versus

U.P. Real Estate Regulatory Authority Thru. Registrar (Execution) Lko. And 4 Others .....Respondent(s)

Counsel for Petitioner(s) : Arjun Krishna, Manu Dixit
Counsel for Respondent(s) : Shobhit Mohan Shukla

Court No. - 2

HON'BLE MRS. SANGEETA CHANDRA, J.
HON'BLE AMITABH KUMAR RAI, J.

1. We have heard learned counsel for the petitioner and Sri Shobhit Mohan Shukla, learned counsel appearing on behalf of the respondents no.1 & 2.

2. This writ petition has been filed with the following main prayers:-

"i. Issue an appropriate order or direction commanding the Opposite Party No. 1 (U.P. RERA, through Registrar Execution) to first appropriate and release to the Petitioner Bank, from the promoter's pre-deposit and any further refundable sums in Complaint No. 220187217, amounts equivalent to the borrowers' outstanding dues (principal, contractual interest, and applicable charges as per the Bank's certified statement of account); or

ii. Direct Opposite Party No. 3 to remit any refund payable under the U.P. RERA order directly to Bank of Baroda, if not already deposited with U.P. RERA, under intimation to U.P. RERA and the allottees, in conformity with Clauses 8 and 10 of the Tripartite Agreement dated 19.12.2013;

iii. Direct consideration and disposal of the Petitioner Bank's representation by the Registrar (Execution), U.P. RERA, by a

reasoned order within a time-bound schedule, keeping in view the DRT Judgment and Decree dated 10.11.2022 and Recovery Certificate DRC No. 582/2023."

3. It has been submitted by learned counsel for the petitioner that the bank has already filed an application before the Registrar(Execution), U.P.R.E.R.A., Lucknow which is pending and has not been decided. It relates to release/appropriation of refund directly to Bank of Baroda in Complaint No. 220187217 relating to M/s Viraj Construction.

4. Without entering into the merits of the controversy, this writ petition is ***disposed of,*** with a direction to the U.P.R.E.R.A. to decide the application which is pending before it at the earliest say within a period of six weeks from the date a copy of this order is produced before him.

(Amitabh Kumar Rai,J.) (Mrs. Sangeeta Chandra,J.)

December 19, 2025

Darpan Sharma

Digitally signed by :-
DARPAN SHARMA
High Court of Judicature at Allahabad,
Lucknow Bench