



CGHC010323512026



2026:CGHC:37268

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4334 of 2026

1 - M/s Gopala Builders Through Its Partner Shri Ricky Brajesh Agrawal, S/o Shri Brajesh Kumar Agrawal, Aged About 40 Years, R/o 51-52, Aishwarya Kingdom, Shankar Nagar, Raipur, District Raipur, Chhattisgarh, Being

... Petitioner(s)

versus

1 - Chhattisgarh Real Estate Regulatory Authority Shastri Chowk, Raipur, District Raipur, Chhattisgarh - 492001, Through Its Authorized Signatory

... Respondents

(Cause-title taken from the Case Information System)

For Petitioner :- Mr. Shailesh Tiwari, Advocate

For Respondent :- Mr. Pranjal Agrawal, Advocate

SB-Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

20.08.2026

1. Following reliefs have been prayed in this petition:-

“(i) That this Hon'ble Court may kindly be pleased to call for the records of Case No. M-COM-2019-00664

and of Execution Case No. EXE-M-COM-2019-00664 from the respondent Authority.

(ii) That this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction thereby setting aside/quashing the impugned order dated 06.08.2025 (Annexure P/1) passed by the respondent Authority in Case No. M-COM-2019-00664 imposing a penalty of Rs. 1,00,000/- upon the petitioner.

(iii) That this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction thereby setting aside/quashing the consequential order dated 08.09.2025 (Annexure P/7) and the entire execution proceedings bearing Case No. EXE-M-COM-2019-00664 including the notice dated 27.02.2026 (Annexure P/8), and further restraining the respondent Authority from recovering the said amount from the petitioner through Revenue Recovery Certificate or by any other coercive mode.

(iv) That this Hon'ble Court may kindly be pleased to declare that the petitioner, registered as a Promoter-Contractor P-3(B) in respect of the project "Woods Estate Phase-III" bearing Registration P3CGRERA123456789012, is under no obligation or liability to upload any quarterly or annual updation on the respondent Authority's web portal, as no such obligation is cast upon a Promoter-Contractor P-3(B) under Circular No. 150 dated 24.06.2026.

(v) That in the alternative and without prejudice, this Hon'ble Court may kindly be pleased to remit the matter to the respondent Authority with a direction to decide the same afresh in accordance with law and in the light of Circular No. 150 dated 24.06.2026.

(vi) That any other relief/order which this Hon'ble Court may deem fit and just in the facts and circumstances of the case, including the award of the cost of the petition, may kindly be granted in favour of the petitioner”

2. Learned counsel for the petitioner submits that the present petition has been filed before this Court despite availability of an alternative remedy before the Chhattisgarh Real Estate Appellate Tribunal, as the said Tribunal is yet to be fully functional. It is submitted that though the Chairperson has already been appointed, the other members are yet to be appointed and, therefore, the Tribunal is presently not in a position to effectively entertain the appeal.
3. Learned counsel appearing for the respondent submits that the petitioner ought to avail the statutory remedy by filing an appropriate appeal before the competent Real Estate Appellate Tribunal, particularly as the question of limitation is also involved. It is submitted that the Tribunal is likely to become functional shortly and the impugned order is not of such urgency as would warrant bypassing the statutory appellate remedy.
4. Considering the nature of the matter and the submissions made by learned counsel for the parties, this Court is of the view that the petitioner ought to avail the statutory remedy available under law.
5. Accordingly, the petitioner is permitted to file an appropriate appeal before the competent Real Estate Appellate Tribunal within

a period of **10 days** from today. Upon filing of such appeal, the petitioner shall also take steps for getting the same registered at the earliest.

6. The petitioner shall further be at liberty to file an appropriate application seeking urgent hearing before the competent Appellate Tribunal, so that the matter may be taken up expeditiously.
7. In case of any exigency or if the petitioner is unable to avail the statutory remedy for reasons beyond his control, liberty is reserved to the petitioner to approach this Court by filing an appropriate petition in accordance with law.
8. With the aforesaid liberty and directions, the present petition stands **disposed of**.

Sd/-

(Amitendra Kishore Prasad)
Judge

Vishakha