HC-KAR

NC: 2026:KHC:47290
WP No. 27217 of 2026

CNR: KAHC010601122026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 27217 OF 2026 (GM-RES)

BETWEEN:

1. SUMIT MAURYA
AGE ABOUT 35 YEARS
R/AT NO.805, TOWER 4
SHRIRAM WYTFIELD,
BENDIGANAHALLI BENGALURU,
KARNATAKA - 560 049
INDIA

ALSO R/AT 42, ISHWARPURI COLONY
SECTOR 12. INDIRANAGAR,
LUCKNOW - 226 016,
UTTAR PRADESH

2. AMIT KUMAR MAURYA AND OJASHWANI
AGE ABOUT 38 YEARS
R/AT G3, DSR CRESCENT,
PARIJATHA AVENUE,
GREENGLEN LAYOUT,
BELLANDUR,
BENGALURU - 560 103

ALSO R/AT FLAT NO.42, ISHWARPURI COLONY,
SECTOR 12, INDIRANAGAR, UTTAR PRADESH,
LUCKNOW - 226 016

3. UJJWAL SUROLIYA
AGED ABOUT 35 YEARS,
NO.305, RADHA ENCLAVE, MLA LAYOUT,
BENGALURU - 560 076

4. JAYASIMHA
AGED ABOUT 62 YEARS
VENKATADERI EXTENSION,
BENGUMBA,
TUMKUR - 572 104

...PETITIONERS

(BY SRI. BASAVARAJU M., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
REVENUE DEPARTMENT, VIDHANA SOUDHA,
BENGALURU - 560 001

2. SPECIAL DEPUTY COMMISSIONER
JAYAMADHAVA P.
BENGALURU URBAN DISTRICT,
KANDAYA BHAVAN, K.G.ROAD,
BENGALURU - 560 009

3. SPECIAL TAHSILDAR
B.R. MUNIVENKATAPPA
ANEKAL TALUK, ANEKAL,
BENGALURU - 562 106

4. M/S INFINITE BUILDERS AND DEVELOPERS
REPRESENTED BY SOLE PROPRIETOR
MR.GULAM MUSTAFA,

HAVING ITS REGISTERED OFFICE AT
NO.6, GM PEARL, B.T.M LAYOUT,
1ST STAGE, 1ST PHASE,
BENGALURU - 560 068

…RESPONDENTS

(BY SRI. MOHAMMED JAFAR SHAH, AGA)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING RESPONDENT NOS.2 AND 3 TO EXECUTE THE RECOVERY AMOUNT WITH INTEREST CALCULATED AT THE RATE OF MCLR 2 PERCENT TILL REALISATION BY ATTACHMENT AND SUCTION PROCEEDINGS WITHIN A TIME FRAME OF 6 WEEKS ANNEXURE-F ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondent nos.1 to 3.

2. Notice to respondent No.4 is dispensed with in view of the fact that respondent no.4 is not required to be heard in the matter.

3. Petitioners are before this Court aggrieved by the non-implementation of the recovery certificate issued

under Section 40 of the Real Estate (Regulation and Development) Act, 2016, in the following matters:

Sl. No.	*Applicant Name*	*Complaint No. RERA Case*	*Recovery Amount*
1.	*Sumit Maurya*	*CMP/00569/2024 order dated 19.03.2025*	*Rs. 13,29,653/- + from dt 06.06.2025 principal amount calculated as per MCLR + 2% till realization*
2.	*Amit Kumar maurya & Ojashwani*	*CMP/00842/2024 order passed on 22.07.2025*	*Rs. 26,04,759/- + from date 26.09.2025 principal amount calculated as per MCLR + 2% till realization*
3.	*Ujjwal Suroliya*	*CMP/01085/2025 order passed on 21.04.2026*	*Rs. 13,30,672/- + from date 09.12.2025 principal amount calculated as per MCLR + 2% till realization*
4.	*Jayasimha*	*CMP/01087/2025 order passed on 17.04.2026*	*Rs. 13,61,197/- + from date 09.12.2025 principal amount calculated as per MCLR + 2% till realization*

4. Learned Additional Government Advocate submits that a Special Deputy Commissioner has been appointed for the purpose of implementation of the recovery certificate issued by the Karnataka Real

Estate Regulatory Authority (K-RERA), and as such, the said Special Deputy Commissioner would take necessary steps within a period of sixty (60) days from the date of receipt of a copy of this order.

5. His submission, however, is also that if the petitioners were to submit any details of any property along with documents indicating that property belongs to respondent no.4 and is unencumbered, the Special Deputy Commissioner would be in a position to take suitable action at the earliest.

6. Reserving such liberty to the petitioners to do so, the petition stands ***disposed.***

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

GJM
List No.: 1 Sl No.: 22