



REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

Exe. Case No- 54/2025

RERA/CC/53/2018

M/s Chitra Homes Pvt. Ltd.

..... Executant(s)

Vs

Bijesh Prasad @ Brajesh Prasad

.....Respondent

PROJECT: CHITRA RESIDENCY

For the Complainant:

Mr. Mayank Rukhiyar, Advocate

For the Respondent:

Mr. Mukesh Kumar, Advocate

18.08.2026

ORDER

Learned Counsel Sri Mayank Rukhiyar on behalf of executants and learned counsel Sri Mukesh Kumar on behalf of respondent are present.

2. Learned Counsel for executant by filing withdrawal petition submits that the present execution case has been filed before the Hon'ble Authority for seeking enforcement/execution of the order dated 07.03.2024 passed by Hon'ble Authority in RERA/CC/53/2018. Subsequent to the passing of the said order, the complainant has preferred a Review Petition, which is presently pending for adjudication before the Hon'ble Authority. He further submits that outcome of the aforesaid Review Petition is material and may have direct bearing upon the rights and obligation of the parties, as well as



the nature and scope of the order sought to be executed in the present proceedings. In view of the pendency of said Review Petition, the executant does not wish to pursue the present execution petition at this stage, and therefore he seeks permission from this Bench / Authority to withdraw the same.

3. He further submits that present withdrawal is being sought without prejudice to the rights and contentions of the applicant, and solely on account of pendency of aforesaid Review Petition. He further submits that applicant specifically seeks liberty to file a fresh Execution Petition in accordance with law in the event of the Review Petition filed by the complainant is dismissed, or otherwise if the circumstances so warrant. He further submits that the present application is not intended to constitute an abandonment, waiver, or relinquishment of any right available to the applicant under the order dated 07.03.2024.
4. He further submits that granting the present application would cause no prejudice to the complainant/decreed holder, whereas refusal to grant express liberty may cause serious prejudice to the applicant by creating an unnecessary technical objection to the filing of a fresh Execution petition after the Review Petition is finally decided. He further submits that the applicant accordingly seeks withdrawal of the present Execution Petition with express liberty to institute/file a fresh Execution Petition after the disposal/dismissal of the Review Petition, subject to the rights and remedies available to the parties in law.
5. Learned Counsel for respondent has no objection in withdrawal of the case.
6. Considering the submissions, as well as going through the record, it appears that the complainant has filed the present case for execution of order dated 07.03.2024 passed by Hon'ble Member Mrs. Nupur Banerjee in RERA/CC/53/2018. Presently, the executant is not willing to pursue the



present case and willing to get disposed of with right to file a fresh Execution Case on the disposal of Review Petition filed by him. Considering the facts and circumstances, the present execution case is dismissed as withdrawn with liberty to the executant to file a fresh execution upon the disposal of the review petition.

With this direction and observation, the execution petition is disposed of.

Sd/-

(Ved Prakash)
Special Presiding Officer