

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13144 of 2011

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Gunanand Mishra, Son of Late Bhajnath Mishra, Resident of Village- Jonki, P.S.-
Basopatti, Distt.- Madhubani.

.... Petitioner.

Versus

1. The Bihar State Housing Board through its Managing Director, Patna
2. The Managing Director, Bihar State Housing Board, Patna
3. The Divisional Allotment Committee, Bihar State Housing Board, Darbhanga
4. The Executive Engineer, Bihar State Housing Board, Darbhanga Circle,
Darbhanga

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate
Mr. Shankar Kumar Thakur, Advocate

For the Respondent/s : Mr. Anshuman Singh, Advocate
Mr. Rajeev Shekhar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL JUDGMENT

Date: 13-07-2015

Heard learned counsel for the petitioner and the
respondents.

2. The petitioner was allotted MIG house bearing
MIG House No. M/135 in the area Laheriasarai, Darbhanga on
14.09.1989, pursuant to Advertisement dated 11.07.1989.

3. A hire purchase agreement was executed. The
petitioner was to pay a tentative cost of Rs. 1,81,125/- in 120 monthly
equated installments of Rs. 2409/-.

4. It appears from the counter affidavit that petitioner
deposited Rs.15,000/- as earnest money, besides initial payment of
Rs.54,338/- followed by further two installments of Rs.2204/- each on

03.09.1997 and 01.10.1997. As per counter affidavit, a total sum of Rs.58,746/- was paid as against the outstanding dues of Rs.92,926/- as calculated vide letter dated 24.01.2011 and the petitioner was given option to approach the office of the Board along with the relevant documents, but he did not do so.

5. Learned counsel for the petitioner submits that he is willing to pay the cost that may be estimated by the Housing Board.

6. Counsel for the Housing Board submits that the petitioner may approach the office of the Board at Darbhanga and if he is willing to pay the amount as per the fresh calculation, the hire purchase agreement of the petitioner can be revived.

7. This writ application is disposed of in the aforesaid terms. The petitioner should approach the office of the Board at Darbhanga.

(Samarendra Pratap Singh, J.)

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