

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.2208 of 2017**

Neernidhi Sharma, S/o Shri Bhagwat Prasad Sharma, aged about 41 years, R/o L-3 D/32, Vinoba Nagar, Bilaspur, Tahsil & District Bilaspur (CG).

---- Petitioner**Versus**

1. Chhattisgarh Housing Board, through its Chairman, Sector-19, Paryavas Bhawan Naya Raipur (CG).
2. Estate Manager, Chhattisgarh, Housing Board, Divisional Office Nehru Nagar, Bilaspur (CG).
3. Executive Engineer, Chhattisgarh Housing Board, Divisional Office, Nehru Nagar, Bilaspur (CG).

--- Respondents

For Petitioner : Mr. Alok Bakshi, Advocate
 For Respondents : Mr. Sanjay Patel, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

11/08/2017

(1) The dispute raised in this petition with regard to default in service.

(2) Learned counsel appearing for the petitioner submits that despite payment of entire cost of residential house, the Housing Board has not handed over possession to the petitioner.

(3) Learned counsel appearing for the respondent-Board submits that though initially cost of the residential house was fixed, but enhancement is also very much contemplated in the terms and conditions.

(4) The matter requires evidence and enquiry into the factual aspects.

(5) Learned counsel for the respondent-Board submits that number of disputes of similar nature has already been filed by the allottees before the Consumer Forum.

(6) Considering the submission made above and the nature of dispute, it requires proper enquiry into the aforesaid terms and conditions. Hence, it would be proper to relegate the petitioner to seek remedy of filing petition before the Consumer Forum.

(7) With the aforesaid observation, this petition is finally disposed off.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-