

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.41092 and 43067 of 2016

COMMON ORDER:

These two writ petitions are being disposed of by this common order as they relate to the challenge made in connection with execution of the work as per the Notification, dated 09.11.2010, and completion of the construction of houses under the self finance scheme under the A.P.Housing Board at New Housing Board Colony, Machilipatnam, Krishna District.

2. The petitioners made applications for MIG and MIG I houses and they have paid E.M.D. amount. They were allotted plots for construction of houses and an agreement was entered in the year 2013. In the meanwhile, the EMD was enhanced from Rs.1,40,000/- to Rs.1,62,200/- and the differential amount was also paid by the petitioners. The Housing Board issued No Objection Certificate for availing housing loans. When no construction was taken up by the Housing Board, they lodged a complaint to the Executive Engineer against the contractor. In spite of granting extension of time, the contractor did not complete the work. In the meanwhile, in view of loan taken by the petitioners, the instalment amounts have been collected from the petitioners. The petitioners submitted representation, pursuant to which the Housing Board assured to hand over the houses by 30.04.2015. Even after the said date, the houses were not handing over. Hence, the present writ petitions are filed.

3. A counter-affidavit is filed explaining the reasons for delay in handing over the houses within the time stipulated, but, however, today learned Government Pleader for the respondents produced written instructions, which reads as follows:

“It is further inform that for allotment of houses, house wise final measurements are to be taken and year wise date are be prepared for finalization of deviation statement. On approval of deviations of the work by the Chief Engineer, house wise final cost is to be prepared and which is to be approved by the CPMC and VC & HC as per procedure laid down in APHB Regulations.

After approval the final cost will be informed to the allottees and the house numbers are to be assigned by conducting drawal of lots in the presence of allottees duly giving prior intimation as per procedure in vogue. To complete all these process the probable time required is about 45 days.”

4. In view of the above undertaking given by the respondents and recording the same, the writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A. RAMALINGESWARA RAO, J

MARCH 09, 2017
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Date: 09.03.2017

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