

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7429 of 2019

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M/s Maruti Construction Pvt. Ltd. having its Registered Office at 11 Mitra Vihar Colony, West Boring Canal Road, Khaitan Lance, P.S.- Budha Colony, Patna and having site Office at Aar Pee Cold Storage and Ice Plant (a unit of Maruti Construction Pvt. Ltd.) Mangurahi, Hajipur, Distt.- Vaishali through the Director Shri Ashok Kumar, aged about 45 years (Male), Son of Rajendra Roy, presently residing at S.D.O. Road, P.O.- Hajipur, P.S.- Town, Hajipur, Distt.- Hajipur (Vaishali)

... .. Petitioner/s

Versus

1. The Housing and Urban Development Corporation Ltd., having its Registered Office at Core-7A Indian Habitat Centre, Lodi Road, New Delhi through its Managing Director
2. The Managing Director Housing and Urban Development Corporation Ltd. IHC Complex, Lodi Road, New Delhi
3. The Executive Director, (Operations) Housing and Urban Development Corporation Ltd., IHC Complex, Lodi Road, New Delhi
4. The Regional Manager, Housing and Urban Development Corporation Ltd., Regional Office, 2nd Floor, B/2, Maurya Lok Complex, Dakbunglow Road, P.s.- Kotwali, Distt.- Patna
5. The Deputy Manager (Law), Housing and Urban Development Corporation Ltd., Regional Office, 2nd Floor, B/2, Maurya Lok Complex, Dakbunglow Road, P.S.- Kotwali, Distt.- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Brisketu Sharan Pandey, Advocate
For the Respondent/s	:	Mr.Sanjay Singh Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-05-2020 This matter was mentioned for listing on urgent basis,
which was allowed by Hon'ble the Chief Justice.

Accordingly, the same has been listed today for consideration through video conferencing in view of the nationwide lockdown on account of COVID-19 pandemic.

The learned counsels are appearing and making



submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard Mr. Brisketu Sharan Pandey, learned counsel for the petitioner as well as Mr. Sanjay Singh Thakur, learned counsel appearing for the respondent-Corporation

After arguments for some time, Mr. Brisketu Sharan Pandey, learned counsel appearing for the petitioner was allowed time to seek instructions from his client. The Court has resumed for hearing after a brief break. After instructions, he submits that the petitioner would be availing of the statutory and other legal remedy available to him against the actions arising out of the recovery proceeding, being RP No.56/2014, before the Debts Recovery Tribunal, Patna.

Mr. Sanjay Singh Thakur, learned counsel appearing for the respondent-Corporation submits that since the writ petition is being withdrawn, no submissions are being advanced on behalf of the Corporation. It should be left open for the Corporation to raise all issues in support of the actions taken by the Corporation for recovery of the amounts due from the petitioner, in the proposed proceedings to be instituted by the petitioner, in accordance with law.



In view of the submissions advanced on behalf of the parties, no adjudication is called for.

The writ petition is disposed of with liberty to the parties to avail of the statutory, and other legal remedy, in accordance with law.

(Madhuresh Prasad, J)

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