

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.3861 of 2017

ORDER:

This writ petition is filed seeking the following relief :-

“..... to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent No.2 is not paying any kind of attention towards uncompleted works and safety of allocated house under self-financing scheme bearing H.No.60, HIG-2, Phase-4 at Laxmiguda, Katedan, Hyderabad, inspite of several representations and final representation on 28.10.2016 and the mails, as well as fallowed by repeated visits, as being illegal, arbitrary, unjust and unconstitutional and consequently direct the respondent No.2 to pay back the amount of interest Rs.2,97,342/- which was collected without any prior notice or agreement and expenditure towards uncompleted works and repairs Rs.4,52,000/- paid by the petitioner and to pay towards the safety works to be carried out worth Rs.10,97,600/- and for the project delay of 3 years as per the Liquidated Damages clause, all the above said amounts to be paid with interest @ 12% p.a. and the board has not constructed as per the given drawing”.

Heard Mr.M.Adam, learned counsel for the petitioner, learned Government Pleader for Housing appearing for 1st respondent and Sri G.Vishweshwar Reddy, learned Standing Counsel appearing for 2nd respondent.

It has been contended by the petitioner that he was allotted a house under Self Financing Scheme and the 2nd respondent has handed over the house with certain deficiencies during the year 2015. In those circumstances, he has submitted a detailed representation to the 2nd respondent on 28.10.2016 requesting to pay appropriate compensation and also to undertake repairs as pointed out by him. But, so far, the 2nd respondent has not passed

any orders on the said representation nor attended the deficiencies pointed out by him.

Learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the 2nd respondent to consider the representation submitted by the petitioner on 28.10.2016 and pass appropriate orders in accordance with law.

Learned Government Pleader as well as the learned Standing Counsel appearing for the respondents contend that since the representation of the petitioner is pending, the 2nd respondent would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to consider the representation submitted by the petitioner on 28.10.2016 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 27-01-2020
Prv

