

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6950 of 2021

1. Akhauri Raghwendra S/o Vishwanath Verma Resident of Flats of Ashiana Royal, Mohalla- Sanchipatti, Bagmali Gachhi, P.O. and P.s.- Hazipur, District- Vaishali
2. Ganesh Chandra Sarkar S/o Late Parmenath Sarkar Resident of Flats of Ashiana Royal, Mohalla- Sanchipatti, Bagmali Gachhi, P.O. and P.s.- Hazipur, District- Vaishali
3. Santosh Prakash Singh S/o Late Rambriksha Singh Resident of Flats of Ashiana Royal, Mohalla- Sanchipatti, Bagmali Gachhi, P.O. and P.s.- Hazipur, District- Vaishali
4. Prafulla Bhushan Prasad S/o Rajeshwar Prasad Resident of Flats of Ashiana Royal, Mohalla- Sanchipatti, Bagmali Gachhi, P.O. and P.s.- Hazipur, District- Vaishali
5. Ashutosh Singh S/o Late Sudarshan Singh Resident of Flats of Ashiana Royal, Mohalla- Sanchipatti, Bagmali Gachhi, P.O. and P.s.- Hazipur, District- Vaishali

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Bihar at Patna
2. The Real Estate Regulatory Authority, Bihar at Patna through its Chairman
3. The Director General Fire Services, Bihar at Patna
4. The Collector, Vaishali at Hazipur
5. The Superintendent of Police, Vaishali at Hazipur
6. The Divisional Forest Officer, Vaishali at Hazipur
7. The District Sub Registrar, Hazipur, Vaishali
8. The Officer-in-Charge, Hazipur Town, P.S., District- Vaishali
9. The Nagar Parishad Hazipur through its Chairman, District- Vaishali
10. The Chief Executive Officer, Nagar Parishad Hazipur, District- Vaishali
11. M/s Hightech Ashiana Pvt. Ltd. Umesh Cinema Road, Hazipur through its Managing Director,
12. Mrs. Sangeeta Singh Director, M/s Hightech Ashiana Pvt. Ltd., Umesh Cinema Road, Hazipur
13. Mr. Divyanshu Singh Director, M/s Hightech Ashiana Pvt. Ltd., Umesh Cinema Road, Hazipur
14. Mr. Harsh Raj Director, M/s Hightech Ashiana Pvt. Ltd., Umesh Cinema Road, Hazipur

... .. Respondents



Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Advocate
For the Respondent/s : Mr. Raji Roy, GP-1
Mr. Kinkar Kumar, SC-9
Mr. Kumar Manish, Advocate
Mr. Ankit Katriar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 04-01-2022 This application has been taken up for hearing online because of COVID-19 pandemic restrictions.

On perusal of the pleadings in the writ application, it is evident that the dispute is between the petitioners, who are flat owners in an apartment at Hajipur, on the one hand and the builder of the apartment on the other.

The petitioners allege violation of various provisions in construction of the building in question by the builder of the concerned Ashiana Royal Apartment, Sanchipatti, Bagmali Gachhi, Hajipur (Vaishali).

It is stated in the writ application that the petitioners have approached the Executive Officer, *Nagar Parishad*, Hajipur (Vaishali) in January 2021 but no remedial measures have so far been taken.

Mr. Ankit Katriar, learned counsel representing Hajipur *Nagar Parishad* is present.



Considering the facts and circumstances of the case, this application is disposed of with a direction to the Chief Executive Officer, *Nagar Parishad*, Hajipur, Vaishali (Respondent No. 10) to consider the petitioners' grievances as raised in the representation dated 18.01.2021, a copy of which has been brought on record by way of Annexure-7 to the writ application and take appropriate action if required in accordance with law, as expeditiously as possible.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

K.K.RAO/-

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