

Subject to WUDA Board:

-Sub: Allotment - WUDA - Allotment of HIG House No.3 in pitapuram colony in favour of Sri Gadda Babu Rao - payment of balance cost including interest. - reg.

Ref: Representation dt. 4-4-88 of Sri Gadda Babu Rao Ex-M.L.C. present Govt. whip, A.P. Legislative Assembly.

Sri Gadda Babu Rao, allottee of HIG House No.3 in Pitapuram Hq. Colony has put in a representation dt.4-4-88 stating that the WUDA ordered to pay the interest amount of Rs.1,06,103.25 for the above house allotted. But he is unable to pay the above amount at that time and hence approached the ^{Court} Govt., Now he wants to pay the said amount immediately. He requests to issue payment order to arrange for payment immediately.

In this connection it is to submit that the Govt. in G.O.Ms.No.447 MA dt.8-11-84 requested the VICE CHAIRMAN WUDA to take necessary action for allotment of one HIG House to Sri Gadda Babu Rao M.L.C.

In pursuance of the Govt. orders one HIG house in Pitapuram Phase II colony constructed by WUDA was provisionally allotted vide this office proceedings dt 23-11-84 to Sri G. Babu Rao at a tentative cost ~~xxxxxxxxxxxx~~ of Rs.1,50,000.00 with an average extent of site of 400 sq. yds. and he was asked to pay full cost of house on or before 31-12-84, But he has not paid the any amount withⁱⁿ the above time and even after reminding to pay before 15-3-85. On 5-7-85 he has made part payment of Rs.40,000-00 and requested to allow him pay balance amount in instalments and also requested to allot HIG House No.1 in the said pitapuram colony and handover possession of House pending payment of balance amount. His request was considered and allotted HIG House No.1 vide this office proceedings dt.6-7-85 and ordered to take possession of the above house allotted. He made a representation on 3-10-85 to consider for allotment of HIG No.3 in lieu of House No.1 already allotted. The extent of site is 577 sq. yds.

In view of his request, the alternate allotment of HIG house No.3 was made vide this office proceedings x dt.4-10-85 and the cost of House No.3 was fixed at Rs.1,09,461-00 vide this office letter dt.3-1-86 and

requested him to pay the balance cost of Rs. 1,49,461-00 on or before 31-1-85. But he has not paid the balance amount and stated in his letter dt. 25-2-85 that the above house was under occupation of departmental officers and requested to give a remission in the interest charged for the period under occupation and also requested to allow him to pay the balance cost of house in instalments. While arriving the cost of bldg. the interest of Rs. 27,035-00 was provided @ 8% from the period 1-4-82 (date of completion of house) to 31-12-84. During the period the said house was under occupation by Sri J. R ambabu I.A.S. Ex-Wice Chairman from 1-10-82 to 28-8-83 i.e. 338 days. Hence the remission of interest was given for the said period of 338 days, amounting to Rs. 9987-00 and the cost of bldg. was revised and finally fixed at Rs. 1,80,504-00 (Originally fixed Rs. 1,89,401 - Rs. 8,957) and he was permitted to pay the balance amount of Rs. 1,49,461-00 in 3 years by fixing annual instalments @ Rs. 56,066-00 per year which includes normal interest @ 8% over head charges and insurance charges. He was informed that in case of delay in payment of instalments penal interest would be charged on belated payments. The possession of the house was finally taken by Sri G. Babu Rao allottee on 9-4-86. The due dates of annual instalments are as follows. But he has not paid annual instalments in time.

1) 1st annual instalment		Due date	8-4-87	Rs. 56,066-00
2) 2nd	-do-	-do-	8-4-88	Rs. 56,066-00
3) 3rd	-do-	-do-	8-4-89	Rs. 56,066-00

1,68,198-00

Hence the penal interest at 13% P.A. on belated payments as is being charged on allotments made by WUDA from all the allottee is also charged from Sri G. Babu Rao allottee. The balance cost of house including normal interest and penal interest and other ~~charges~~ ~~charges~~ were arrived as on 22-1-91 and he was intimated to pay the balance arrear amount of Rs. 1,06,103-00 as on 22-1-91. ~~(Statement is already)~~. But he has not paid any amount even after reminding him in this office letter dt. 21-11-91 ^{which he has} to pay the said amount of Rs. 1,06,103-00 along with further accrued penal interest of Rs. 17,215-00 totally ^{to} for Rs. 1, 23,318-00

worked out upto 15-12-91. Hence it was proposed to recover the arrear amount due under Revenue Recovery Act. At that time he has approached the court and filed O.S.No. 604 of 1991 in Hon'ble Court of Ist Addl Judge Visakhapatnam in Dec., '91. The suit filed by him was dismissed and ordered to pay an amount of Rs.6279-00 to WUDA towards costs. Subsequently Sri G. Babu Rao filed the petition for setting aside the dismissal order and for restoration of the suit once again on the file of Hon'ble Court, Visakhapatnam for disposal on merits. The said petition is still pending.

Now sri G. Babu Rao is willing to pay only Rs.1,06,103-00 which is due as on 21-1-91. The further P.I. @ 18% worked out 21-1-'91 to 15-5-98 and legal charges as ordered by Hon'ble Court is worked out to Rs.2,52,246-00 as detailed below. He has to pay the said amount as is being charged from all the defaulters in payment of allotment made by WUDA as per practice is in vogue.

a) Amount of principal due on 22-1-91 after adjusting the amount of Rs.1,80,000-00 so far paid towards interest, P.I. House cost etc.,	1,06,103-00
b) Further P.I. @ 18% accrued from 22-1-91 to 15-5-98	1,39,864-00
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	2,45,967-00
c) Legal charges	6,279-00
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Total	2,52,246-00

The Hon'ble Chairman, WUDA has instructed to arrive the simple interest @ 08% as charged in the

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the date of amount due of Rs.1,06,103-00 from 22-1-91 to 15-5-98.

As per the above instructions of the Hon'ble Chairman the amount due on levying simple interest @ 8% P.A. and legal charges is works out to Rs.1,74,544/- as detailed below:

	Rs.
a) Amount of principal due as on 22-1-91 after adjusting the amount of Rs.1,80,000/- so far paid towards interest, P.I. house cost etc.,	1,06,103-00
b) Further interest accrued @ 8% (Normal interest) from 22-1-91 to 15-5-98)	62,162-00
	<hr/> 1,68,265-00
c) Add legal charges.	6,279-00
	<hr/> Total: 1,74,544-00

The difference of amount as per the practice in vogue in VUDA by charging Penal Interest and normal interest @ 8% ^(as per the instructions of Hon'ble Chairman) comes to Rs. 77,702/- (Rs.2,52,246 (-) Rs.1,74,544/-).

The allotment of house was provisionally made on 23-11-84 but the possession of the house was taken on 8-4-86.

Hence the matter is placed before VUDA Board for taking decision whether to collect balance amount of Rs.2,52,246/- as arrived by charging P.I. @ 18% P.A. or to collect balance amount of Rs.1,74,544/- as worked out by charging normal interest @ 8% P.A. from Sri G. Babu Rao in respect of House No.3 of Pithapuram Colony allotted by VUDA.

VUDA RESOLUTION No.177, dated 12-5-98.

Resolved to collect balance amount of
Rs.1,74,544/- from Sri Gadde Baburao in respect
of House No. 3 of Pithapuram colony allotted by
VUDA as a special case.

K. Ganga
CHAIRMAN.