

# SUNRISE GREENS RESIDENTS WELFARE ASSOCIATION (SGRWA)

12-A, Ahinsa Khand, Indrapuram, Ghaziabad-201014, U.P. (Regd No: 379/2013-14)



Dated: November 30, 2015

To,  
The Vice Chairman,  
Ghaziabad Development Authority,

Sub: (i) *Representation regarding handing over the maintenance of maintenance after complementing deficiency by Jaipuria Infrastructure Developers Pvt Ltd. in relation to Sunrise Greens group housing located at Plot 12A, Ahinsa Khand, Indrapuram, Ghaziabad-201014.*

&

(ii) *Order dated November 20, 2015 passed by the Hon'ble High Court of Judicature in Writ C No. 63524 of 2015 [Sunrise Green Residents Welfare Association v Ghaziabad Development Authority & 2Ors. COPY ATTACHED.]*

Respected Sir,

This is with reference to the captioned subject matters.

## A. Background

As per our various previous applications to you regarding maintenance handover and disruption in essential services at Jaipuria Sunrise Greens, Indrapuram, in 1103 flats over 4000 residents living in pathetic conditions due to poor maintenance and lack of essential services like water, lifts that is still a problem due to irresponsible behaviour of Jaipuria Infrastructure Developers Pvt. Ltd.

**This is to further inform you that the only borewell for residential complex has collapsed and entire society is without water for 3 days. For your information, 3 of our Lifts are not working for past 3 weeks.**

## Reference of our previous letters sent to you:

- 1) Letter dated 03/09/2015 subject "Maintenance Handover of Jaipuria Sunrise"
- 2) Letter dated 03/09/2015 subject "Seepage Repair & Painting"
- 3) Letter dated 11/08/2015 subject "Problems Galore in Society"
- 4) Letter dated 09/04/2015 subject "Transfer of Common Services"
- 5) Letter dated 09/07/2015 to JIDPL subject "resumption of essential services".
- 6) Letter dated 28/11/2015 to JIDPL subject "disruption of essential services".



Diary No. 30-11-15  
74

# SUNRISE GREENS RESIDENTS WELFARE ASSOCIATION (SGRWA)

12-A, Ahinsa Khand, Indirapuram, Ghaziabad-201014, U.P. (Regd No: 379/2013-14)



## B. Prayer:

In light of the aforesaid submission and in compliance with the order dated November 20, 2015 passed by the Hon'ble High Court of Judicature in Writ C No. 63524 of 2015, we request you to decide our representation and pass the following directions:

1. Direct the Promoter for the instant resumption of all essential services like water, electricity & lifts in the Jaipuria Sunrise Greens apartment.
2. Direct the Promoter to provide sufficient water supply for the living of residents till the time new bore well installed. Kindly direct the Promoter to arrange at least 3 Borewell for such a big society to avoid such disruption in future.
3. Direct the Promoter to repair seepage and damaged structure / plaster and complete the Building Painting.
4. Direct the Promoter to complete the deficiencies in electricity, Power backup/D.G, Lifts, Fire equipment, electrical equipment and structural deficiencies.
5. Direct the Promoter to instantly handover the IFMS to us ASAP and proceed for the complete handover of maintenance and building as per our previous demands.


We assure you our full co-operation in resolving the aforesaid issues.

Yours sincerely,

Thanking you,

  
(Ravindra Saini)  
President



  
(Shri Pal Singh)  
General Secretary

**Court No. - 39**

**Case :- WRIT - C No. - 63524 of 2015**

**Petitioner :- Sunrise Green Residents Welfare Association**

**Respondent :- Ghaziabad Dev. Authority And 2 Others**

**Counsel for Petitioner :- Prashant**

**Counsel for Respondent :- C.S.C., Ram Bilas Yadav**

**Hon'ble Dilip Gupta, J.**

**Hon'ble Mukhtar Ahmad, J.**

The Sunrise Green Residents Welfare Association, Ghaziabad has filed this petition with a grievance that respondent Developers is not maintaining the building which has been constructed by them and is not handing over its maintenance to the petitioner. In fact the petitioner alleges the violation of the provisions of the U.P. Apartment (Promotion of Construction, Ownership and Maintenance) Act, 2010 and the Rules framed thereunder.

It transpires from the record of the writ petition that the petitioner has represented to the Vice Chairman of the Ghaziabad Development Authority, Ghaziabad regarding the maintenance and handing over of the apartment and on that representation the Vice Chairman has required the Developers to discharge its responsibilities.

Learned counsel for the petitioner has stated that till date no action has been taken by the Development Authority.

Sri R.B. Yadav, learned counsel has put in appearance on behalf of respondent no. 1. Learned Standing Counsel appearing for respondent no. 2. In view of the order that is proposed to be passed, it is not necessary to issue notice to respondent no. 3.



**Scanned by CamScanner**

The grievance of the petitioner can be addressed by the Vice Chairman of the Development Authority and in fact the petitioner has filed a representation before the Vice Chairman.

Sri R.B. Yadav learned counsel appearing for the Development Authority states that a decision shall be taken on the representation filed by the petitioner.

We would, accordingly, dispose of this petition with a direction to the Vice Chairman of the Development Authority to decide the representation filed by the petitioner after hearing the parties concerned including respondent no. 3 expeditiously.

**Order Date :- 20.11.2015**  
M.A.Ansari



(Dilip Gupta, J.)

(Mukhtar Ahmad, J.)