

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1713 of 2015

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1. Kumar Nagendra Singh Son of Late Hridyanand Singh Resident of Village, Post Office - Harpur Karah, Police Station - Baniyapur, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
 2. The Managing Director, Bihar State Housing Board, Patna.
 3. The Secretary, Bihar State Housing Board, Patna.
 4. The Manager Estate, Bihar State Housing Board, Patna.
 5. The Revenue Officer, Bihar State Housing Board, Patna.
 6. The Executive Engineer, Bihar State Housing Board, Muzaffarpur Division.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh
 For the Board : Mr. Tej Bahadur Singh, Sr. Advocate
 For the State : Mr. Pankaj Kumar Singh, AC to SC 28

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 22-07-2015 The petitioner seeks quashing of the demand notice dated 17.1.2014 for a sum of Rs.15,24,218.87 and further demand of Rs.354248.60 issued by respondent no.6.

The petitioner was allotted HIG Plot No. HP-161 having an area of 1960 Sq. ft. vide Board's letter No.46/AA dated 8.11.1996 which was communicated to him vide Board's letter no.610 dated 8.9.2009. The petitioner deposited the initial formal money and consequently agreement was executed on 16.2.2010 wherein tentative cost of the plot was determined as Rs.9,90,985.00 as on

31.12.2009 out of which Rs.300300/- has been deposited. The case of the petitioner is that he has paid a sum of Rs.18,70,500/- to the Board towards the cost of the plot in question but still the Housing Board vide its letter dated 17.1.2014 has made additional demand of Rs.15,24,218.87.

Counsel for the petitioner submits that the aforesaid demand is illegal and perverse. As the petitioner has already paid more than double of the initial amount and there has been no subsequent development which would warrant additional demand of Rs.15,24,218.87.

Mr. Tej Bahadur Singh, learned Senior Counsel appearing for the Housing Board submits that over the years the price of the land has been increased and as such additional demand has been made.

I find that the petitioner has made a representation before the Estate Officer of the Housing Board. As the Pricing Board has been constituted in view of the Division Bench order of this Court, the petitioner should approach the Pricing Board with detailed representation. On filing such representation, the Pricing Board would give necessary break up in support of the additional demand and would also allow an opportunity of hearing to the petitioner or his representative. The matter should be decided

within three months from the date of filing of the representation.

With the aforesaid observations and directions, this writ application stands disposed of.

(Samarendra Pratap Singh, J)

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