

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2347 of 2001

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1. Mithlesh Kumar Trivedi, s/o late Jag Narain Trivedi
 2. Anil Kumar Trivedi, son of late Jag Narain Trivedi
- Both resident of village-Purana Chowk, P.S.-Buxar, District-Buxar, at present resident 199, MIG, Hanuman Nagar, P.S.-Patrakar Nagar, District-Patna.
3. Usha Upadhya, wife of Prakash Chandra Upadhaya, resident of Lalpur Chowk, Ranchi, P.S.-Ranchi Town, District-Ranchi (Jharkhand)
 4. Smt.Kiran Pandey, wife of Harihar Pandey, resident of Chakrahi, P.S.-Pandeypati, District-Buxar.
 5. Smt. Meena Ojha, wife of Chandra Shekhar Ojha, resident of Senduriya, P.S.-Surehi, District-Baliya (U.P.)
 6. Smt. Pushpa Chaubey, wife of Rakesh Chaubey, resident of New Area, Morabadi, Ranchi (Jharkhand).

.... Petitioner/s

Versus

1. The Managing Director, Bihar State Housing Board, 6, Patel Marg, Patna.
2. The Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Commissioner, Urban Development and Housing Department, Government of Bihar, Patna.
4. The State Officer-cum-Additional Secretary, Bihar State Housing Board, 6, Patel Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh
Mrs.Tulika Singh

For the Respondent/s : Mr. Anshuman Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL JUDGMENT

Date: 24-07-2015

Heard the parties.

The matter at issue is the outstanding dues of the Bihar State Housing Board, Patna against the allotment of Middle Income Group house bearing no.MH/199, Hanuman Nagar, Patna in favour of the original writ petitioner namely, Jag Narain Trivedi, who has passed away during the pendency of the present writ petition and has been substituted by his heirs and legal representatives.

Without going into the other controversies, it would be sufficient to notice that in the counter affidavit filed on behalf of the

respondent nos.2 and 5 on 23.06.2015, total outstanding dues against the writ petitioners were shown to be Rs.8,64,840.60 (Rupees Eight lacs sixty four thousand Eight hundred forty and sixty Paise only), which is apparent from the calculation chart prepared by the aforesaid respondent nos.2 and 5, which is part of Annexure-J. The aforesaid demand was raised against the petitioners up to May, 2015.

Learned counsel appearing on behalf of the petitioners submits that against the aforesaid demand raised by the Bihar State Housing Board and its functionaries, now the substituted petitioners have deposited Rs.8,72,000/- by way of bank-draft dated 27.06.2015.

Mr. Anshuman Singh, learned counsel appearing on behalf of the respondents does not dispute the aforesaid submissions.

In view of the aforesaid factual position, particularly, in view of the fact that the substituted petitioners have already deposited Rs. 8,72,000/- on 27.06.2015 as against the total outstanding dues of Rs. 8,64,840.60 upto May, 2015, this Court is of the opinion that the entire outstanding dues of the Bihar State Housing Board against the allotment of the aforesaid house bearing no.MH/199, Hanuman Nagar, Patna have been paid by the petitioners and nothing further is required to be paid by them.

In above view of the matter, it is directed that the respondents shall not raise any further demand with respect to the house in question against the petitioners.

The present writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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