

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18928 of 2014

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Vinod Kumar, son of Sri Pitambar Sahi, resident of Village- Suratganj,
Ward No. 15, P.S. Madhubani Town, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. District Magistrate, Madhubani.
3. Deputy Development Commissioner -cum- Chief Executive Officer, District Board, Madhubani.
4. Executive Officer, Nagar Parishad, Madhubani.
5. Chairman, Nagar Parishad, Madhubani.

....Respondent 1st Set.

6. Ram Kumar Mahaseth, son of Late Bache Mahaseth, resident of Village Suratganj, Ward No. 8, P.S. Madhubani Town, District - Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Respondent-State : AC to AAG-12

For the Nagar Parishad : Mr. Purushottam Jha

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

4 05-02-2015

Heard Mr. Md. Imteyaz Ahmad, learned counsel

appearing on behalf of the petitioner, Mr. Purushottam Jha,
learned counsel appearing for the Nagar Parishad, Madhubani
and its authorities and counsel for the State.

The petitioner seeks a direction to the authorities of
the Nagar Parishad, Madhubani to hand over the possession of
the shop situated at Ward No.15 at Nilam Cinema Road in the
district of Madhubani pursuant to an agreement entered into
between the petitioner and the Nagar Parishad.

This matter was heard on 23.1.2015 when a counter



affidavit was filed on behalf of the Executive Officer who submitted that the work of construction of shops for which the petitioner has applied was given to a contractor who abandoned the project and whereafter it has been assigned to a new contractor namely Varun Jha for completion of the work and that no sooner the work is completed that steps would be taken for handing over the possession of the shop.

Taking note of the circumstances that the petitioner had applied for the shop and has deposited the earnest amount in 2011 and a period of more than four years had passed that the writ petition was adjourned to enable Mr. Jha, learned counsel appearing for the Nagar Parishad to ascertain from the Executive Officer the minimum shortest time within which the construction of shops is completed.

Mr. Jha on instruction received from the Executive Officer, Nagar Parishad, Madhubani has submitted that steps would be taken for completion of the construction of shops within six months.

Having heard learned counsel for the parties and taking note of the submissions made on behalf of the Executive Officer, Nagar Parishad, Madhubani this writ petition is disposed of with a direction to the Executive Officer, Nagar

Parishad, Madhubani to take every possible steps for ensuring completion of the construction work of shops in question and for its allotment in accordance with law within six months from today in terms of his undertaking given before this Court.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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