

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.419 of 2015
With
I.A. No.434 of 2015

- =====
1. Shabana Shaheen, wife of Md. Parwez Alam.
 2. Md. Parvez Alam, son of Late Md. Idrish.
- Both are residents of Kakarwa Basti, Ward No. 29, Police Station and District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Special Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
4. The District Magistrate, Araria.
5. The Araria Nagar Parishad through its Executive Officer.
6. The Executive Officer, Nagar Parishad, Araria.
7. Mr. Anirudh Prasad Yadav, son of name not known to the petitioners, the then Executive Officer, Nagar Parishad, Araria, at present as Additional Election Officer, District Collectorate, Araria.
8. Smt. Afasana Parveen, wife of Md. Imteyaz Alam, the then and at present Chief Councillor, Nagar Parishad, Araria.
9. Mr. Anil Kumar, son of name not known to the petitioners, the then Executive Officer, Nagar Parishad, Araria, at present posted as Assistant Engineer, Nagar Parishad, Araria.
10. M/S Sbeng Red (Saryu Babu Engineers for Resources Development), Nagar Parishad Campus, Kishanganj through its Consultant Mr. I.P. Gupta.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Murari Prasad Sinha
For the Respondent/s : Mr. S.K.Mandal, SC-24

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 10-02-2015

Counsel for the parties are present.

The petitioners have filed this writ petition alleging irregularities in implementation of the Integrated Housing and Slum Development Programme (hereinafter referred to as ‘the Scheme’) enforced by the Ministry of Urban Employment and Poverty Alleviation, Government of India in its implementation in the State in so far as in the district of Araria is concerned. According to the petitioners, there have been large scale

irregularities in the matter of allotment and the persons who in fact were not even entitled to get benefit under 'the Scheme' have derived the benefits by reason of collusiveness of the authorities of the Nagar Parishad, Araria.

This matter was last heard on 3.2.2015 when Mr. Sunil Kumar Mandal, learned Standing Counsel No.24 informed the Court that such issue had already been deliberated upon by a Bench of this Court in CWJC No.3669 of 2011 in Public Interest Litigation and orders have been passed. The records of CWJC No.3669 of 2011 were directed to be placed and a perusal thereof manifests that some persons alleging irregularities in implementation of 'the Scheme' in question had filed a Public Interest Litigation and a Division Bench of this Court taking note of the circumstances vide order passed on 14.2.2012 required the aggrieved parties to approach the Principal Secretary, Urban Development and Housing Department, Government of Bihar by raising their grievance and who was required to consider and dispose of the same expeditiously. The order passed on 14.2.2012 in CWJC No.3669 of 2011 grants liberty to all aggrieved persons to approach the Principal Secretary, Urban Development and Housing Department, Government of Bihar, if they so desire, for any cause of action and which is to be disposed of expeditiously. Mr. Mandal thus

was right when he submitted that the issue raised by the petitioner did attract the attention of this Court in earlier round of litigation arising from Public Interest Litigation and stands disposed of.

Perusal of the writ petition manifest that though representations have been filed by the petitioners before the District Magistrate but they are neither explanatory nor point out any specific irregularities.

In the circumstances and in view of the order passed by the Division Bench in CWJC No.3669 of 2011, the present writ petition is also disposed of in terms of the direction of the Division Bench and granting liberty to the petitioners to raise their grievance before the Principal Secretary, Urban Development and Housing Department, Government of Bihar and it goes without saying that any such representation upon being filed by the petitioners should be considered by the Principal Secretary and be disposed of in accordance with law and after hearing the affected parties.

The writ petition and the interlocutory application stand disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

U			
---	--	--	--