

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10042 of 2013

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Ram Ashrai Sharma, Son of Ram Dahin Sharma, Resident of Village -
Ramachak, P.O. Akawana, P.S. Mashaurhi, District - Patna

.... Petitioner

Versus

1. Bihar State Housing Board, Patna through its Managing Director, Patna
2. The Managing Director, Bihar State Housing Board, Patna
3. Manager, Land Valuation cum Joint Secretary, Bihar State Housing Board, Patna
4. Revenue Officer, Bihar State Housing Board, Patna
5. Executive Engineer, Bihar State Housing Board, Patna Division - II, Bahadurpur, Patna
6. Assistant Engineer, Bihar State Housing Board, Patna
7. Junior Engineer, Bihar State Housing Board, Patna

.... Respondents

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With
Civil Writ Jurisdiction Case No.7697 of 2015

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Pramod Kumar, Son of Late Chatrubhuj Nath (Retd. Assistant General Manager, Bokaro Steel City), Qr. no. 6051, Sector 4 F, Bokaro Pin-827004 (Jharkhand). Permanent Address of Binda Sadan, Sonawati Colony, Dumra Road, P.S.- Sitamarhi, District- Sitamarhi. Presently Resident in this house of Shri Nand Kishore Prasad House no.-A-11, Chattraaj; Lane Road no.6D, Gardanibagh, P.S. Gardanibagh, Road no. 6D, Gardanibagh, P.S.- Gardanibagh, Patna.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Govt. of Bihar, Patna Department of Urban Development Department, New Secretariat, Patna-15.
2. Bihar State Housing Board, through Managing Director-6, Sardar Patel Path, Patna.
3. Executive Engineer, Bihar State Housing Board, Division-II, Bahadurpur, Patna.

.... Respondents

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With
Civil Writ Jurisdiction Case No.14202 of 2015

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Ramchandra Prasad Singh, Son of Late M. Prasad Singh, 306, Reserve Bank Ashiana Apartments, Plot No. C-58/31, Sector - 62, Noida, 201307.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Urban Development

Department, New Secretariat, Patna.

2. The Secretary, Bihar State Housing Board, 6 Mangles Road, Patna.
3. The Managing Director, Bihar State Housing Board, 6 Mangles Road, Patna.
4. The Estate Officer, Bihar State Housing Board, 6 Mangles Road, Patna.

.... Respondents

Appearance :

(In CWJC No.10042 of 2013)

For the Petitioner/s : Mr. Bipin Kumar, Advocate
 : Mr. Arun Kumar, Advocate
 For the State : Mr. Lali Kishore, P.A.A.G.
 For the Housing Board : Mr. Rakesh Kumar Singh, Advocate

(In CWJC No.7697 of 2015)

For the Petitioner/s : Dr. Nagendra Kumar, Advocate
 For the State : Mr. Sanjeet Kumar Singh, AC to AAG-10
 For the Housing Board : Mr. Rakesh Kumar Singh, Advocate

(In CWJC No.14202 of 2015)

For the Petitioner/s : Mr. Satyabir Bharti, Advocate
 For the State : Mr. Ashok Kumar Verma, AC to SC-17
 For the Housing Board : Mr. Rakesh Kumar Singh, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

6 28-01-2016

Heard the parties.

The petitioners' grievance is that even after coming into force of the Digha Acquired Land Settlement Act, 2010 (hereinafter referred to as 'the Act') in the month of November, 2013, their refunds have not been made, therefore, they should be given their refunds with compound interest @ 12% per annum.

The submission is noted only to be rejected in view of the fact that Section 4 of the Act lays down in clear term that the calculation of interest would be made till the date of refund, therefore, the petitioners cannot claim that they have monetarily suffered as the law itself provides that the interest would be

calculated till the date of its refund.

Be that as it may, all the writ petitions are being disposed of with a direction to the Bihar State Housing Board to refund the money of the petitioners after calculating the interest in accordance with the provisions of Section 4 of the Act within a period of three months from the date of receipt/production of a copy of this order, failing which a cost of Rs.15,000/- each would be payable to the petitioners of the writ petitions.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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