

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2738 of 2014

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1. Mithilesh Kumar Singh Son Of Shatrughan Singh Resident Of Village - Shekhpura , P.S. Baniapur, District - Chapra
2. Sangita Devi Wife Of Hareram Sah Resident Of Village - Shekhpura Baniapur, District - Saran, Chapra
3. Maina Devi Wife Of Raj Kishore Sah Resident Of Village - Shekhpura Baniapur, District - Saran, Chapra
4. Kunti Devi Wife Of Nagnarain Singh Resident Of Village - Shekhpura Baniapur, District - Saran, Chapra
5. Mira Devi Wife Of Mithilesh Singh Resident Of Village - Shekhpura Baniapur, District - Saran, Chapra

.... Petitioner/s

Versus

1. The State Of Bihar
2. Deputy Development Commissioner, Saran, Chapra
3. Block Development Officer, Baniapur, District - Saran, Chapra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kapil Deo Singh Advocate
For the Respondent/s : Ms. Kumari Amrita GP-10

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 03-08-2016

Heard the counsel for the petitioners and the State.

The petitioners, claiming themselves as the allottee(s) of the make shift shop at a village hat, have filed the writ application for quashing the communication dated 13.1.2014 issued by the respondent-Block Development Officer requiring the petitioners to vacate their shop(s). The reasons for doing so have been explained in the counter affidavit filed on behalf of the respondent no.2. Even from Annexure-1 it appears that such allotment of the shop in favour of the petitioners at the hat was temporary. Diverse factual disputes arise in

this case. The respondents in the counter affidavit have stated that fresh allotment of make shift shop(s) shall be made if not already allotted. The petitioners may utilize this opportunity and apply for fresh allotment of the shop in terms of the relevant provisions.

The writ application stands disposed of granting the petitioners the said liberty.

(Kishore Kumar Mandal, J)

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