

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4273 of 2013

In

Civil Writ Jurisdiction Case No. 20502 of 2010

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Smt. Sarla sharma wife of late Dr. Padmadeo Narayan Sharma R/o-126,
Kautilya Nagar, Sansad Vidhayak Co-operative, Raja Bazar, P.S.- Airport,
Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri S. Sidhharth, S/o not named to the petitioner, The Secretary,
Department of Housing, Government of Bihar, Patna.
3. Sri Arun Kant Sharan, S/o not named to the petitioner, The Deputy
Secretary, Department of Housing, Government of Bihar, Patna.
4. Sri Anupam Kumar Suman, S/o not named to the petitioner, Bihar State
Housing Board, Patna, through its Managing Director.
5. Sri Alok Kumar Sinha, S/o not named to the petitioner, The Chairman,
Bihar State Housing Board, Patna.
6. Sri Anupam Kumar Suman, S/o not named to the petitioner, The
Managing Director, Bihar State Housing Board, Patna.
7. Sri Sunil Kumar Pandey, S/o not named to the petitioner, The Estate
Officer, Bihar State Housing Board, Patna.
8. Sri Parshuram Ram, S/o not named to the petitioner, The Secretary,
Bihar State Housing Board, Patna.
9. Sri Lallan Jee, S/o not named to the petitioner, The Revenue Officer ,
Bihar State Housing Board, Patna.
10. Sri Ashok Kumar Sinha, S/o not named to the petitioner, The Executive
Engineer, Bihar State Housing Board, Patna, Division.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Respondent/s : Mr. Shyam Kishor Sharma

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL ORDER

10 30-11-2016 The original petitioner, namely, Dr. Padmadeo
Narayan Sharma, a retired Principal of Patna University, filed
C.W.J.C. No. 20502 of 2010 for quashing the decision of 233rd
meeting of the Bihar State Housing Board rejecting his application
for refund of excess amount paid by him for allotment of plot



no.28A at Lohia Nagar, Patna communicated vide letter dated 24.12.2009 (Annexure-21 to the writ petition). The Board had rejected the claim of the petitioner in its 232nd meeting held on 02.06.2009 on the ground that the petitioner had not raised any objection at the time of making payment.

After hearing the parties, the writ petition was disposed of on 05.09.2012, in the following terms:

“I find that the petitioner did make a protest at the relevant time and his representation has erroneously been rejected on the ground that he did not make any objection. The impugned order dated 24.12.2009 contained in Annexure-21 and resolution of 233rd meeting of Board so far petitioner is concerned are set aside. The respondents would consider representation of the petitioner afresh on merit which should be filed within two months. Nothing in the order should be construed as this Court expressing any opinion on the merit of the claim of the petitioner or the Board.

This writ petition is allowed to the extent mentioned above.”

Dr. Sharma thereafter filed the instant contempt application. During the pendency of the contempt application, the sole petitioner died. He has belatedly been substituted by his wife,



namely, Smt. Sarla Sharma.

Show-cause has been filed on behalf of the Housing Board, wherein she has been asked to complete the necessary formalities, as contained in letter no. 1706 dated 13.03.2015 annexed as Annexure-A to the Show-cause.

The substituted petitioner would complete the necessary formalities, as required by letter no. 1706 dated 13.03.2015.

Once the same is completed, the opposite parties would proceed to dispose of the matter in terms of the directions contained in the order dated 05.09.2012, passed in C.W.J.C. No. 20502 of 2010.

The contempt application stands disposed of.

(Samarendra Pratap Singh, J.)

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