

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8756 of 2000

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1. Xavier'S Patna Association through its President Fr. William D'Souzza SJ
 2. Xavier Teachers Training Institute, Digha Ghat, Patna
 3. Fr. V. J. Thomas, Rector, Xavier Teachers Training Institute, Digha Ghat, Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Collector, Patna District, Patna
3. Land Acquisition Officer, Patna District, Patna
4. Bihar State Housing Board through its Chairman, Patna
5. Competent Authority, Bihar State Housing Board, Patna
6. Competent Appellate Authority, Bihar State Housing Board, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. K. M. Joseph, advocate

For the Respondent/s : Mr. Anshuman Singh

Mr. Vijay Kr. Singh, AC to SC 18

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

10 29-01-2018

Heard the learned counsel for the petitioners, the learned counsel for the Bihar State Housing Board and the learned AC to SC 18 for the State.

The learned counsel for the petitioners submits that petitioners preferred an appeal No. 28 of 1989 before the Minister, Urban Development and Housing against the order passed by the competent authority of Bihar State Housing Board in eviction case No. 143 of 1988 on 27.02.1989.

It appears that the appellate authority dismissed the appeal of the petitioners vide order dated 30.05.2000, as contained in Annexure-9, without hearing or issuing notice to the appellants when the appellants stopped appearing before the appellate authority. Therefore, I find that the petitioners may appear before



the appellate authority and argue their case on merit. Accordingly, the order dated 30.05.2000 passed in Appeal No. 27 of 1989 issued under the signature of Deputy Secretary-cum-appellate authority, as contained in Annexure-9, is quashed and the matter is remitted to the appellate authority to hear the appellants and pass order in accordance with law within three months from the date of receipt of this order.

This writ petition is allowed with the observation, as aforesaid.

(Prabhat Kumar Jha, J)

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