

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4211 of 2014

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Shyam Kishore Singh Son of Shri Ram Gati Singh, Resident of Village -
Uchaila, Post Office - Sasaram, Police Station - Sasaram, District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Housing Board, through its Managing Director, 6, Mangles Road, Patna
3. The Estate Officer, Bihar State Housing Board, 6 Mangales Road, Patna
4. The Executive Engineer, Bihar State Housing Board, Bihar State Housing Board, Gaya Division, Magadh
5. The Revenue Officer, Bihar State Housing Board, Patna, 6 Mangale Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Nagendra Prasad, Adv.
For the Respondent/s	:	Mrs.Shilpi Keshri, AC to AAG-X
For the Housing Board	:	Mr. Anshuman Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 09-08-2019

The present writ petition has been filed for directing the respondent Housing Board to get the lease deed registered pertaining to plot no. M.P.- 79 ad measuring 1650 Sq. ft. situated at Mohalla/ Village- Ashikpur Sasaram, P.O. and P.S. Sasaram, District Rohtas in pursuance to the allotment order dated 27.11.2002 issued in favour of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner had deposited the requisite fee for the purposes of allotment of the land in question in the year 1999 whereafter, the allotment was made in the year 2002. It is the



case of the petitioner that though the petitioner is ready to pay the full amount as per the MVR value pertaining to the said land, but the respondent Housing Board is not handing over possession of the said plot and has also not registered the deed lease in favour of the petitioner.

Per contra, the learned counsel for the Housing Board has submitted that though the petitioner was requested to execute hire- purchase agreement in the year 2002, but he did not do so whereafter, after a long gap, the petitioner filed an application for revival of the allotment as also submitted that he was ready to pay the outstanding amount as per the market value. It is the further case of the respondent Housing Board that the Housing Board had sent a letter dated 14.03.2013 wherein it was stated that since the petitioner has promised to pay the outstanding amount in one lump sum, the said amount has been calculated and it comes to Rs.9,52,048.48 approximately which should be deposited in the account of the Housing Board so that further action can be taken upon the request of the petitioner. Subsequently, another letter dated 16.08.2013 was also sent to the petitioner granting him liberty to pay a sum of Rs. 16,18,715.15 in one lump sum, whereafter necessary action would be taken by the respondent Housing Board.



Having regard to the rival contentions of the respective parties as also considering the fact that the petitioner is ready to make payment of the value of the plot in question as per the MVR/ Government rates/ values of the financial year 2019-20, I deem it fit and proper to grant liberty to the petitioner to approach the Managing Director of the Bihar State Housing Board by filing an appropriate representation within a period of six weeks from today, whereafter the Managing Director, Bihar, State Housing Board shall consider the request of the petitioner objectively and in accordance with law and take a final decision by passing an appropriate order within a period of twelve weeks of the submission of the representation by the petitioner herein.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

