

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15662 of 2017

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Hari Shankar Jee Deo, Son of Sri Guru Prasad through Chairman Mathurapur colony, Awas Sanghars Samiti, Resident of Flat No. 9, Block No. 28, P.O. P.S.- Dalmia Nagar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary Government of Bihar, Patna
2. The Principal Secretary, Bihar State Building Construction Department Govt. of Bihar, Patna.
3. The Chairman Bihar Rajya Awas Board Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The S.D.O., Civil Rohtas at Sasaram.
6. The Executive Engineer, Bihar Rajya Awas Board Gaya Division Gaya.
7. The Circle Officer Dehri on Sone District Rohtas.
8. The Circle Officer Akorhi Gola, District Rohtas.

... .. Respondent/s

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Appearance :, Adv.

For the Petitioner/s	:	Mr.Arun Kumar No. 1
For the Respondent/s	:	Mr.Raj Ballabh Pd.Yadav Aag11
For the BSHB	:	Mrs. Binita Singh, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 18-02-2020 Heard learned counsel for the petitioner and

learned counsel for the respondents.

Petitioner has prayed for the following reliefs:

“For issuance of a writ in nature of certiorari for setting aside the impugned notice contained in Annexure-3 and also for issuance of a writ in the nature of prohibitionary, strictly prohibiting the respondents not to disturb/displace the peaceful and 35 years old possession of these landless and homeless petitioners at Janta Awas & E.M.S. huts



made at Mathurapur Colony, Post Dalmia Nagar, Rohtas at Sasaram, without making alternative arrangement of their Rehabilitation under the Government of Bihar, rehabilitation circulars/schemes and for landless and homeless persons in the light of circulars contained in Annexure-1 and 2 and further for issuance of a writ in the nature of mandamus directing the respondents to rehabilitate these homeless and landless families of said Janta Flats, in sufficiently available Government lands situated at + P.O. Dalmianagar District Rohtas at Sasaram along with sanction of amount of construction of Indira Awas for all the displaced families, so that fundamental rights of petitioners as provided under Article 21 of the Constitution of India may not be violated”.

Finding the court not to be in favour of the submission made, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the respondents states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.



We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

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