

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3903 of 2022

1. Deepak Kumar Son of Arvind Prasad, Resident of Village - Saluganj, P.S. - Biharsharif, District - Nalanda.
2. Manoj Kumar, Son of Kedar Prasad, Resident of Aliganj, P.S. - Chandrdeep, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chairman BISCAMAN Bhawan, West Gandhi Maidan, Patna, Bihar.
2. The Managing Director, BISCAMAN Bhawan, West Gandhi Maidan, Patna, Bihar.
3. The Depot Manager, BISCAMAN Harnaut, P.S. Harnaut, District - Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Respondent/s : Mr. Lalit Kishore (A.G.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 27-04-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

- (1) That the present writ petition is being filed for issuance of an appropriate writ / writs/ order / orders for commanding the Respondents for the following reliefs:-

- (i) To direct the Respondent No. 2 to allot one shop to each petitioner subject to the condition mentioned in the notice dated 12.01.2022 published under the signature of Respondent No. 2 (Annexure-1).



- (ii) To direct the Respondent authorities to proceed against the petitioners for vacating the shops in question through due process of law.
- (iii) To stay the notice dated 12.01.2022 for vacating the shops in question of the petitioners, during the pendency of present writ petition.
- (iv) To grant any other appropriate relief / reliefs as your lordships may deem fit and proper for the end of justice.

3. After the matter was heard for some time, learned counsel for the petitioners, under instructions, states that petitioners shall be content if a direction is issued to the authority concerned i.e. **(Respondent No. 2, The Managing Director, BISCOMAN Bhawan, West Gandhi Maidan, Patna, Bihar)** or any of the statutory authority to consider and decide the representation which the petitioners shall be filing within a period of four weeks from today for redressal of the grievance(s).

4. Learned counsel for the respondents states that if such a representation is filed by the petitioners, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its

filing along with a copy of this order.

5. Statement accepted and taken on record.

6. As such, petition stands disposed of in the following terms:-

- (a) Petitioners shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);
- (b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;
- (c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (d) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;
- (e) Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law;
- (f) We are hopeful that as and when petitioners take 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;

- (g) Liberty reserved to the petitioners to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;
- (h) We have not expressed any opinion on merits. All issues are left open;
- (i) The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

7. The petition stands disposed of in the aforesaid terms.

8. Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	