

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18073 of 2014

Madan Gopal Son of R.B. Choudhary R/o- 202, Shree Apartment, S.P. Verma Road, P/s- Gandhimaidan, District Patna, at present Resident of Mahnar, P/s- Mahnar, District- Vaishali, since dead, represented through legal heirs namely:-

(i) Sita Devi, wife (widow of writ petitioner), aged about 76 years, Female.

(ii) Ravi Kumar, son, aged about 48 years, Male.

(iii) Shashi Kumar, son, aged about 45 years, Male.

(iv) Archana Choudhary, daughter, aged about 46 years, Female.

... .. Petitioner/s

Versus

1. The State Of Bihar through Registrar, Cooperative Society, Patna
2. The Chairman, Bihar State Housing Board, 6, Sardar Patel Marg, Patna.
3. The Executive Engineer, Bihar State Housing Board, Division No.-2, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Man Mohan Kumar, Adv. Mr. Shashank Shekhar Sinha, Adv.
For the State	:	Mr. Manoj Kumar, AC to GP-24
For the Housing Board	:	Mr. Suman Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 12-10-2022

Ref.:-I.A. No. 2 of 2022

The present interlocutory application has been filed for substituting the legal heirs of the deceased petitioner, who has died on 19.5.2021 during the pendency of the present writ petition.

I.A. No. 2 of 2022 is allowed, being formal in nature, and the registry is directed to expunge the name of the deceased petitioner from the array of parties & substitute him by his legal heirs, details whereof have been mentioned in paragraph



no. 4 of the present interlocutory application.

CWJC No. 18073 of 2014

At this juncture, the learned counsel for the Respondent-Bihar State Housing Board has submitted that with regard to the kind of land in question, an enactment in the name and style of Digha Acquired Land settlement Act, 2010 has been enacted whereby and whereunder it is incumbent upon the Bihar State Housing Board to refund the amount deposited by the original writ petitioner along with 8% compound interest. It is submitted that as soon as the petitioners file appropriate application before the Managing Director, Bihar State Housing Board, Patna for refund of the amount deposited by the original writ petition along with compound interest @ 8%, the same shall be paid forthwith without any delay.

At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid Digha Acquired Land settlement Act, 2010. Liberty, so sought, is granted.



The writ petition stands disposed of.

(Mohit Kumar Shah, J)

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