

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15417 of 2022

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Gajendra Kumar Singh Son of Late Ramdhari Singh, Resident of Rental Flat NO. 427, Kankarbagh Road, Lohiya Nagar, P.S. - Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Secretary, The Housing and Urban Development Bihar, Patna.
2. The Bihar State Housing Board, through its Managing Director, Mangles Road, Patna.
3. The Executive Engineer, Bihar State Housing Board, Patna Division, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate
	:	Mr. D.K. Tondon, Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha (AAG 7)
For Housing Board	:	Mr. Pawan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2022 Though the present writ petition has been filed for quashing the letter dated 19.10.2022, issued by the Executive Engineer, Bihar State Housing Board, Patna addressed to the Additional Collector (Law & Order), Patna for providing force to get Flat no. 427, Lohianagar, Kankarbagh, Patna, vacated, which is in possession of the petitioner but during the interregnum period, the competent authority of the Bihar State Housing Board has passed the final order dated 19.09.2022, in Eviction case no. 08 of 2022.

The learned Senior counsel for the petitioner



submits that the petitioner has now preferred an appeal against the afore-said order dated 19.09.2022, however, the same is not being heard, hence some interim protection be granted to the petitioner so that he can approach the appellate authority for grant of interim orders. It is also stated by the learned Senior counsel for the petitioner that the petitioner has already filed an application for grant of interim relief, hence the same be directed to be heard, forthwith.

Having regard to the facts and circumstances of the case, I deem fit and appropriate to dispose off the present writ petition with an observation that the appellate authority shall consider the application filed by the petitioner for grant of interim protection and pass appropriate orders thereon, in accordance with law, within a period of four weeks from today.

It is needless to state that for a period of four weeks weeks from today, the petitioner shall not be evicted from the aforesaid Flat in question.

(Mohit Kumar Shah, J)

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