

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10441 of 2017

Kamlawati Devi wife of Late Shyamnand Chaubey, resident of Village at Lohiya Nagar Defence Colony Bihar State Housing Board Block No.55 Flat no.220 Alotee P.O.- Lohiya Nagar P.S.- Kankarbagh, Distt- Patna-20, permanent address at Vilage- Jagarnathpur, P.O.- Sonehula, P.S.- Gopalpur, Distt- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Department.
2. Managing Director, Bihar State Housing Board, Patna.
3. Sri Vinod Sahni Alottee, resident at Lohiya Nagar Defence Colony Block No.55 Flat No.219 P.O. Lohiya Nagar, P.S.- Kankarbagh, Distt- Patna-20.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Shrivastwa, Adv.
For the State	:	Mr.Rajeev Kr. Sinha, Ac to AAG-7
For the Housing Board	:	Mr.Raj Nandan Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-07-2023 The present writ petition has been filed seeking the following relief:-

“1. That by way of this writ petition petitioner pray to issue writ of mandamus to directing the respondent no. 2 and 3 to remove the illegal construction and land encroachment of puccka house in lawn and surplus area of this Block No. 55 flat No. 219 and 2202 and 2 flat extra of Defence Colony Lohiya Nagar Kankarbagh Patna the said illegal construction and land encroachment made by private respondent no. 3 of this writ petition to punish and



award heavy cost against the respondent no. 3 and also respondent no. 2 may be directed to performs his duty with properly.”

At the outset, the learned counsel for the respondent-Bihar State Housing Board, Patna has submitted that an eviction case bearing Eviction Case No.93 of 2023, has already been initiated by the competent authority and the same would be taken to its logical conclusion, within a stipulated time frame.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with a direction to the competent authority to dispose off the aforesaid pending eviction case by passing a reasoned and a speaking order, in accordance with law, after hearing the affected parties, within a period of eight weeks of receipt/production of copy of this order.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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