

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20583 of 2016

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Nawal Kumar S/o Sri Ram Prasad R/o Plot No. T-666, Sector-T, Mohalla and
Post-Lohiya Nagar, P.S.-Kankarbagh, Distt. Patna-800020

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Urban, Bihar, Patna.
2. Chief Secretary, Bihar State Address-Old Secretariat, Patna-1.
3. Principal Secretary, Nagar Vikash Evam Awas Bibhag Bihar Govt., Patna
Address-New Secretariat, Patna
4. The Managing Director, Bihar State Housing Board, 6, Sardar Patel, P.S.-
Sachiwalay, Distt.-Patna-15
5. Bhu-Sampada Padadhikari, Bihar State Housing Board, Patna, address-
6, Sardar Patel, P.S.-Sachiwalay,
6. Superintending Engineer, Bihar State Housing Board, Patna, Address-6,
Sardar Patel, P.S. Sachiwalay,
7. Executive Engineer, Bihar State Housing Board, Patna, Address-6, Sardar
Patel, P.S. Sachiwalay, Dist- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Dubey, Advocate
	:	Ms. Suchitra, Advocate
For the Respondent/s	:	Mr. Yogendra Prasad Sinha-AAG 7
	:	Mr. Rajeev Kr. Sinha, AC to AAG 7
For the Housing Board	:	Mr. Suman Kr. Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2023 The present writ petition has been filed seeking the
following reliefs :-

*“ (i) To issue writ of Mandamus commanding
the respondents to discharge their legal
obligation & duty to follow and comply the
order/direction of their own office (as
contained in Annexure-1 of the writ petition)
whereby the petitioner was allotted plot
no.-T-666.*



(ii) To issue writ of mandamus commanding the respondents to be caused the plot no.- T-666 registered in favour of the petitioner.
(iii) To issue further writ of mandamus commanding the respondents to compensate by paying compensation for unnecessary long delay.”

The learned counsel for the respondent- Bihar State Housing Board has submitted that the Board has only one objection, as has been stated in the counter affidavit filed in the present case i.e. to the effect that the father of the petitioner is also possessing a similar Flat bearing Slum Flat no. 200, which was allotted by the Bihar State Housing Board, hence, the son i.e. the petitioner herein cannot be allotted the second flat/ house, although it is not disputed that the petitioner has already been allotted Plot no. T/666.

This Court finds that the aforesaid submission of the respondent- Bihar State Housing Board is not supported by any such policy decision of the respondent- Bihar State Housing Board, hence, the plea taken in the counter affidavit filed in the present case, is fit to be rejected, at the outset.

Having regard to the facts and circumstances of the case and considering the fact that the respondent- Bihar State Housing Board has got no other objection as far as the



registration of the plot allotted to the petitioner is concerned, I deem it fit and appropriate to direct the respondent- Bihar State Housing Board to ensure that the possession of the plot allotted to the petitioner is handed over to him, after execution of the requisite sale deed, upon completion of the requisite formalities at the end of the petitioner.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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