

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6938 of 2015

-
1. Smt. Rajmati Devi Wife of Late Ram Lakhan Sharma, resident of 1/18, H.I.G., Bihar Housing Colony, Bhutnath Road, Police Station- Agam Kuan, District- Patna. At present of Village- Khudauri, P.O. P.S.- Hulasganj in the district of Jehanabad.
 2. Smt. Jyoti Kumari, Wife of Vijay Kumar, Daughter of Ram Niwash Sharma, resident of 1/36, H.I.G., Bihar Housing Colony, Bhutnath Road, Police Station- Agam Kuan, District- Patna. At resident of Village- Kashwan, Police Station- Jehanabad, District- Jehanabad.
 3. Sanjeev Kumar, Son of Late Sachidanand Prasad Singh, resident of 7 HF 1/8, Bahadurpur Housing Colony, Bhutnath Road, Police station- Agam Kuan in the district of Patna-26.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Housing and Urban Development, Government of Bihar, New Secretariat, Patna
3. The Bihar State Housing Board, Beerchand Patel Path, through its Secretary.
4. The Managing Director, Bihar State Housing Board, Beerchand Patel Path, Patna.
5. The Executive Engineer, Bihar State Housing Board Division-II, Bhootnath Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dr. Kumar Amitesh Chandra, Adv.
For the State	:	Mr.Kinkar Kumar, SC-9
		Mr.Zakir Haider, AC to SC-9
For the Respondent	:	Mr.Mithlesh, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 21-06-2023 The present writ petition has been filed seeking the following reliefs:-

“I. To quash the order contained in Memo No. 2311, Memo No. 2305 and Memo No. 2307 dated 09.04.2015 passed by the Managing Director, Bihar State Housing Board (herein after referred



as BSHB), Patna by which the claim of the petitioners for allotment of the flat vide Flat No. 1/18, 1/36 and 1/8 of Bahadurpur Housing Colony have been rejected in most illegal and arbitrary manner without application of judicious mind and without considering the fact that the petitioners are residing in the said flat since last 22 to 13 years. Even the petitioner no. 1 Smt. Rajmati Devi is an allottee, the above mention flat was allotted vide Memo No. 554 dated 18.3.1988 through lottery.

II. Also to direct the respondents B.S.H.B. to allot the flat No. 7HF 1/18, 1/36 and 1/8 of H.I.G. Bahadurpur Housing Colony in favour of the petitioners as the petitioners are ready to pay the reasonable amount to the Housing Board as till date the said flat has not been allotted to any one and no one is claimant of the above mentioned flats.

III. Also to restrain the respondents from evicting the petitioners from the aforesaid flats in which they are residing along with their family since last 22 to 13 years and also not to disturb the possession of the petitioners over the flats in question.

IV. Also for issuance of appropriate writ/order or direction commanding the respondents to settle the flat to the petitioners in which they are residing since long.”



At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Managing Director, Bihar State Housing Board, Beerchand Patel Path, Patna for redressal of their aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case appropriate representation is filed before the Managing Director, Bihar State Housing Board, Patna within a period of four weeks from today, he shall consider the same and pass a reasoned and a speaking order, in accordance with law, within a period of eight weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

sonal/-

U			
---	--	--	--

