

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16441 of 2022

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Mamta Jha wife of Jay Chandra Jha, Resident of Mohalla- North Nepali Nagar, Police Station- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Patna.
4. The Managing Director, Bihar State Housing Board, Patna.
5. The Circle Officer, Sadar Anchal, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Adv. Ms. Sarita Kumari, Adv.
For the Respondent/s	:	Mr.Subhash Pd. Singh (Ga3)
For the Housing Board	:	Mr. Pawan Kumar, Adv. Ms. Pratibha, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1(i). A writ in the nature of mandamus commanding and directing upon the Respondents concerned specially Respondent No. 3 and 4 not to take coercive action and dispose/ demolish the house of the petitioner from his respective land in question which he has got from the bonafide land owners much earlier and even the name of vendor of petitioner has been mutated much earlier in year 1991-92 and paying Municipal Tax as well as provided Electric connection from the Electricity Board but in pretext



of general direction issued from the level of Respondent No. 3 and 4 petitioner is being threatened to come over his lands and houses constructed over the same.

(ii) For a further direction upon the Respondents concerned to maintain parity with the lands situated towards West and East of Ashiana- Digha Road with regard to entire 1024 Acres of lands which are said to be acquired by one Land Acquisition proceeding but by erecting Digha Acquired land Settlement Act 2010 as well as Digha acquired land Settlement Scheme 2014 with regard to 600 Acres of land situated towards east side (Rajeev Nagar) Respondent State has formulated scheme for regularisation of their respective lands by depositing fixed amount but the land owners of western side when 400 Acres of lands are of same nature have not given the same opportunity causing discrimination with the petitioner under which mighty sword of Respondents always having their heads.”

2. The learned counsel for the parties have pointed out that the lis involved in the present case has already stood adjudicated by a Coordinate Bench of this Court by a judgment dated 25.05.2023, passed in C.W.J.C No. 9422 of 2022 (Satyendra Rai vs. The State of Bihar & Ors.) and other analogous cases, consequently, the present case is squarely covered by the said judgment dated 25.05.2003, hence the present writ petition be



also disposed off in similar terms.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition in terms of the aforesaid judgment dated 25.05.2023, passed by a co-ordinate Bench of this Court in the case of Satyendra Rai (supra).

4. The writ petition stands allowed.

(Mohit Kumar Shah, J)

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