

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16230 of 2022

Arti Singh W/o Sharaun Kumar Singh @ Sharvan Kumar Singh, Permanent Resident of Village- Hawaspur, Patori, P.S.- Patori, District- Samastipur, Presently resides at Mohalla- Gandhi Nagar Madhuvanpuri, Nepali Nagar, P.S.- Rajiv Nagar, District- Patna-800025.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary Urban Development and Housing Department, Government of Bihar, Patna.
3. The Bihar State Housing Board, through its Managing Director, Sardar Patel Marg, Patna.
4. The Managing Director, Bihar State Housing Board, Sardar Patel Marg, Patna.
5. The Secretary Bihar State Housing Board, Sardar Patel Marg, Patna.
6. The District Magistrate, Patna.
7. The Superintendent of Police, Patna, Bihar.
8. The Circle Officer Patna Sadar, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sumit Kumar, Adv. Mr. Avinash Kumar Singh, Adv.
For the Respondent/s	:	Mr.Subhash Prasad Singh (Ga 3)
For the Housing Board	:	Mr. Pawan Kumar, Adv. Ms. Pratibha Adv.

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(a). For a direction to the respondent authorities to immediately stop demolition of the house of petitioner situated in Mohalla- Nepali Nagar, P.S- Rajiv Nagar, District- Patna, Survey Plot No. 2598, Khata no.- 1605, Tauzi No. 5339, Digha Thana No. 1 under the Patliputra Circle, Ward no.- 2, measuring



area 555 sq. feet.

(b). For quashing of the order dated 20.06.2022 passed in Encroachment Case No.- 70/2021-22 and entire proceedings of the said encroachment case including the notices dated 25.04.2022 and 20.06.2022 in the facts and circumstances of case.

(c). For restraining the respondent authorities from taking any action disturbing the lawful possession of the petitioner over the house and the land. situated in Plot No.-2598, Mohalla- Nepali Nagar, P.S- Rajiv Nagar, and District- Patna.

(d). For a direction to the respondent authorities to make appropriate settlement of the land situated in Plot No. 2598, situated at Mohalla Nepali Nagar in favour of petitioner/the residents of Rajeev Nagar / Nepali Nagar pursuant to the provisions of the Digha Acquired Land Settlement Act, 2010, the petitioner to be entitled in the manner it has been done in Settlement Act, 2010 and the scheme framed thereunder, in the facts and circumstances of this case.”

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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