

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7 of 2023

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Hari Narayan Ray @ Hari Nr. Roy @ Hari Narayan Rai Son of Ram Prasad Ray then resided at Boring Road, Pani Tanki More, Boring Road, P.S.-S.K. Puri, District-Patna. At Present resident of Mohalla-Shaktipuram Lane, Talab Par Nepali Nagar, Behind Ashiana Nagar, P.S.-Rajiv Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Principle 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

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Appearance :

For the Petitioner/s	:	Mr.Sumit Kumar, Advocate
For the State	:	Mr.Subhash Prasad Singh, GA-3
For BSHB	:	Mr.Pawan Kumar, Advocate
		Ms.Pratibha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1.(a) For a direction to the respondent authorities



to stop demolition of the house of petitioner situated in Mohalla Nepali Nagar, P.S- Rajiv Nagar, District- Patna, Khata no.- 292, Plot no.- 2422, Digha Thana No. 1 under the Patliputra Circle, Ward no. 2, Revenue Area- 268 measuring area 10(ten) Dhur.

(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 over the house and the land situated in Plot No.2422, Mohalla- Nepali Nagar, P.S.- Rajiv Nagar, and District- Patna. The plot in question is not the subject matter of acquisition.”

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.

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).

The writ petition stands allowed.

(Mohit Kumar Shah, J)

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