

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3875 of 2022

1. Jayprakash Rao, Son of Late Bhola Rao, Resident of Village- Ward No.1, Kali Kunj Sant Kabir Road, Banu Chhapar, P.S.- Muffasil, District- West Champaran.
2. Sitaram Prasad, Son of Late Chokat Mahto, Resident of Village- Dhoomnagar, P.S.- Nautan, District- West Champaran.
3. Rajendra Padit, Son of Late Hardowal Padit, Resident of Mohalla- Krishna Nagar, Near RLSY College, P.S.- Muffasil, District- West Champaran.
4. Tarakeshwar Prasad, Son of Late Ramannnd Prasad @ Ramanand Prasad, Resident of Shri Krishna Nagar, Ward No. 12, RLSY College, Bettiah, P.S.- Majhauria, District- West Champaran.
5. Zakir Baleegh, Son of Late Md. Izhar Hussain, Resident of Ward No. 29, Basawariya, P.S.- Bettiah Town, District- West Champaran.
6. Kumar Parmeshwar, Son of Rajaram Prasad, Resident of Ward No. 12, Krishna Nagar, Near RLSY College, P.S.- Muffasil, District- West Champaran.
7. Jaimangal Prasad Gupta, Son of Raja Prasad Gupta, Resident of Village- Fatehpur, P.S.- Jogapatti, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Govt. of Bihar, Patna.
2. The District Magistrate, West Champaran, Bettiah.
3. The District Agriculture Officer, West Champaran, Bettiah.
4. The Sub Divisional Officer cum Special Officer, Agriculture Produce Market, West Champaran, Bettiah.
5. The Administrator, Bihar State Agriculture Market Board, Department of Agriculture, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Adv.
For the Respondent/s : Mr. Sarvesh Kr. Singh (AAG 13)

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

16 10-09-2024

Learned counsel appearing on behalf of the petitioners has stated that in so far as petitioner nos. 1 and 7 are concerned, their shops have not been demolished and as such,



they are not pressing the present writ petition.

2. That in so far as the petitioner no. 2 is concerned, he was earlier in possession of Shop No. 8, the said shop has been demolished and therefore, he has made a representation dated 12.08.2022 (Annexure 12/1 filed along with the first supplementary affidavit) addressed to the Administrator, Bihar State Agriculture Market Board, i.e., Respondent No. 5 herein to allot him the Shop No. 6 which is presently vacant. That the petitioner no. 2 would abide by any conditions that may be imposed by the authorities concerned and a direction may be issued to the Administrator to abide by the direction issued by the Respondent No. 4 vide letter dated 28.11.2022 in Letter No. 1217 (Annexure 13/1 filed along with the 2nd Supplementary affidavit) and pass necessary order allotting Shop No. 6 to the petitioner no. 2 at the earliest.

3. That in so far as the petitioner nos. 3, 4 5 and 6 are concerned, their shops are demolished and as per the letter dated 23.08.2021 (Annexure 7), the authorities have themselves have stated that as and when the new shopping complex is constructed, they will be given priority in the allotment of the shops in the new complex. Learned counsel appearing on behalf of the petitioners has stated that a direction may be issued to the



authority concerned to complete the construction of the shopping complex at the earliest and allot the shops as promised vide letter no. 23.08.2021 (Annexure 7) immediately after construction is completed.

4. Having regard to the above made submissions, the present writ petition is disposed of with the following directions:-

I. The present writ petition in so far as the petitioner nos. 1 and 7 is concerned stands dismissed as against them.

II. In so far as petitioner no. 2 is concerned, the Administrator, i.e., Respondent No. 5 is directed to consider the representation dated 12.08.2022 (Annexure 12/1) made by the petitioner no. 2 and pass necessary orders for allotment of Shop No. 6 as per the direction of the Respondent No. 4 vide Letter No. 1217 dated 28.11.2022. The Administrator shall pass necessary orders as expeditious as possibly preferably within a period of four weeks from the date of receipt of a copy of this order.

III. In so far as petitioner nos. 3, 4, 5 and 6 are concerned, the authorities are directed to complete the construction of the complex as expeditiously as possibly and allot the shops in the new complex as promised vide letter dated



23.08.2021 (Annexure 7) immediately after construction is completed.

5. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

Bhardwaj/-

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