

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6709 of 2020

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1. Vinod Kumar Gupta S/O- Kedar Prasad Gupta R/v- ward No. 06 Bhelwa Tola Jaynagar, P.S.- Jaynagar, Dist- Madhubani.
 2. Ravi Kumar S/O- Ram Sharan Prasad R/v- house No. 112, Prem Nagar, Joraphatak, Near Surendra Park, Dhanbad, Jharkhand, At present Address Jayanar Bazar, P.S.- Jaynagar, Dist- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner Darbhanga Division Darbhanga.
2. The Commissioner Darbhanga Division Darbhanga.
3. The Chairman, District Board Madhubani.
4. The Deputy Commissioner Cum Chief Executive Officer, District Board Madhubani.
5. The Deputy Chairman, District Board Madhubani.
6. The Chief Executive Officer, District Board Madhubani.
7. The District Magistrate, Madhubani.
8. The Sub Divisional Officer Jaynagar, Madhubani.
9. The Circle Officer, Jaynagar, Madhubani.
10. The District Engineer, District Board Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, (GP-18)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 21-02-2024 Heard Mr. Sanjay Kumar, learned Counsel appearing on behalf of the petitioners and Mr. Raj Kishore Roy, learned GP-18 appearing on behalf of the respondent/s.

2. The present writ petition has been filed for the following relief/s:

i. For issuance of appropriate writ/writs, order/orders, direction/directions for quashing the order dated 08.02.2019, dated 16.04.2019 and

dated 03.12.2019 issued by the Deputy Commissioner-cum-Chief Executive Officer, District Board Madhubani, whereby and where under petitioners along with others have been directed to deposit arrears of due rent of shop and to enter into an agreement (Kirayanama) otherwise your allotment of shop has been cancelled and your shop will be vacated and after quashing the aforesaid order dated 03.12.2019 further respondents be directed to not to disturb of the petitioner shop as per conditions laid down in the decision bearing Memo No.461 dated 30.12.2008 and to grant any other consequential benefits for which petitioners may found entitled in accordance with law.

3. Learned counsel appearing on behalf of the petitioners submits that petitioners have already deposited the requisite amount for allotment of shop situated at District Board, Jaynagar, Madhubani. However, the respondent concerned has allotted the shop.

4. The learned counsel admits that petitioners had not brought on record the receipt in support of their claim to verify, as to whether, they have deposited the amount, as claimed by them, pursuant to the Public Notice dated 30.12.2008 this writ petition was adjourned.

5. Today, in Court learned counsel appearing on behalf of the petitioners hands over photostate copy of receipt no.4337 dated 05.01.2009, confirming the fact that the petitioners had already deposited the amount and no action has been taken till date.

6. The petitioners, if so advised, may file detailed representation alongwith required documents before the Executive Officer.

7. The petitioners have claimed to have deposited the requisite amount in accordance with law.

8. The Executive Officer is directed to take decision with respect to allotment of shops to the petitioners within a period of 6 weeks in accordance with law, if any shop is vacant or any other site has been proposed, where the petitioners can be allotted a shop in the future.

9. With the aforesaid direction, the present writ petition stands disposed of.

(Purnendu Singh, J.)

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