

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5497 of 2023

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Ravi Ranjan son of Late Lallan Kumar, Resident of MIG-25, Shaheed Bhagat Singh Colony, Mustafabad, P.S.-Rampur, Gaya, permanent resident of 08 Bandhuganj, P.O.-Bandhuganj, SBI ATM, Jehanabad.

... .. Petitioner/s

Versus

1. The Bihar State Housing Board through its Managing Director, 6-Sardar Patel Path, Patna.
2. The Revenue Officer, Bihar State Housing Board, 6-Sardar Patel Path, Patna.
3. The Estate Officer, Bihar State Housing Board, 6-Sardar Patel Path, Patna.
4. The Executive Engineer, Gaya Division, Bihar State Housing Board, Gaya.
5. The District Magistrate, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh
For the Respondent/s : Mr.Kinkar Kumar (Sc9)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 04-03-2024 Heard the parties.

By way of this writ petition, the petitioner has prayed for quashing the Notice under Letter No. 604 dated 22.10.2022 issued by the Office of Executive Engineer, Bihar State Housing, Gaya Division, Gaya to the petitioner for vacating unauthorized occupancy of Flat MIG 25 within a period of fifteen days.

It is an admitted position that the original allottee of the flat namely Nalin Vilochan Sharma has died in the year 2005 and in his name the notice dated 22.10.2022 was issued by the Housing Board.



The present writ petition has been filed by the grandson of Nalin Vilochan Sharma who has challenged the notice dated 22.10.2022. The petitioner has also challenged the Eviction Proceeding No. 08 of 2023 on the same ground.

Learned counsel appearing for the Housing Board cannot deny the fact of death of Nalin Vilochan Sharma.

Considering the aforesaid facts, this application stands allowed and the notice dated 22.10.2022 which is issued in the name of a dead person, is hereby quashed. Similarly the Eviction Proceeding No. 8 of 2023 is also initiated against a dead person and the same is also hereby quashed.

(Sandeep Kumar, J)

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