

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20572 of 2014

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Brij Nandan Prasad son of late Radhey Lal, Resident of MIG-347, Lohia Nagar, P.O. Lohianagar, P.S. Kankarbagh, Patna-800020

... .. Petitioner/s

Versus

- 1) The Bihar State Housing Board, through the Chairman cum Managing Director, 06, Sardar Patel Marg, Patna-800015.
- 2) The Chairman cum Managing Director, Bihar State Housing Board, 06, Sardar Patel Marg, Patna-800015.
- 3) The Secretary, Bihar State Housing Board, 06, Sardar Patel Marg, Patna-800015.
- 4) The Revenue Officer, Bihar State Housing Board, 06. Sardar Patel Marg, Patna - 800015.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha, Advocate
For the Respondent/s : Mr.Anil Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 10-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(A) For quashing the order contained in memo no. 7464, dt.14.9.13 whereby the Managing Director, Bihar State Housing Board (hereinafter referred to as 'Board') has disposed of the representation of the petitioner by a non-speaking order and without considering the points raised by the petitioner that how they are not reasonable or not satisfactory, therefore the same is not only arbitrary and malafide but is unilateral and is violative of Art. 14 & 21 of the Constitution of India, therefore fit to be quashed at very outset.



(B) Also to quash the Order passed by the Pricing Committee issued under memo no. 1914, dt. 13.3.14 whereby the Pricing Committee has tried to justify the demand after 34 years on the ground that the Board can demand the additional amount without any question as and when called upon(Clause 2 of the Agreement) and the loan amount taken from the Financial Institution is to be realized from the allottees. The order is arbitrary and contrary to clause 3 of the terms of the allotment letter as well as there is no provision of realizing interest when there is no demand.

(C) Further to quash the demand notice of Rs,5,12.185.69-00 due as on April 2014,vide letter no.6783,dt. 15.09.2014 because the difference of cost as per the Board' demand notice is just Rs.8,261.26 only and rest are interest which is without jurisdiction and without authority of law hence fit to be quashed.

(D) Further for direction to the Board not to arbitrarily and unilaterally charge the alleged due amount in contravention of the registered lease deed dt. 27.6.1980 and also not to charge the interest whatsoever for the period when there was no demand.

(E) Also for direction to treat the registered lease deed dt.27.6.1980 as final and finally transfer the right, title and ownership of the



house as free-hold in the name of the petitioner.”

2. The learned counsel for the petitioner seeks to withdraw the present writ petition, to which the learned counsel for the respondent-State has got no objection.

3. Accordingly, the present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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