

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8029 of 2023

Satish Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Kishore Singh, Adv.
For the Respondent/s	:	Mr. Subhash Pd. Singh (Ga3)
for the State	:	Mr. Indeshwari Pd., Adv.

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

10 18-04-2024

Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“That by filing present writ application the Petitioners are seeking indulgence of this Hon’ble High Court for issuance of an appropriate writ/order/direction commanding upon the respondents to allot shops to the Petitioners against requisite stipulated amount of Rs. 1,25,000/- deposited by them towards settlement of shops situated in the R.S. Lane of Dighwara Station Feeder Road, Chapra. This is further for handing physical possession of the allotted/settled shops to the petitioners.”

3. Learned counsel appearing on behalf of the petitioner has drawn the attention of the court to the counter



affidavit filed by the Respondent No. 3 wherein at para 5, 6 and 7, it is stated as under:

“5. That, it is pertinent to mention it here that after receiving the copy of the writ petitioner, the answering authority enquired the matter and in preliminary enquiry the claim of the writ petitioners have been found true. It is true that the writ petitioners were in occupation of GAMUTI No. 8A & 8B situated in old Mal Godown in R.S. Lane of Dighwara Station Road. It has been also found true that each of them has deposited the requisite stipulated amount of Rs. 1,25,000/- for the allotment/ settlement of shops in R.S. Lane of Dighwara Station Feerer Road, Dighwara, District – Saran.

6. That, in enquiry it has been also found that petitioners' name appears on Serial No. 9 & 10 respectively in the list of 209 encroachers, to whom the Hon'ble High Court, Patna has ordered to allot the shops if available after allotment of shops to 44 persons to whom Hon'ble Court had directed to allot shops to them.

7. That, after enquiry as the claim/ demand of the petitioners have been found genuine & true then it has been decided to allot/ settle the shops in the name of both writ petitioners and



processes for allotment/ settlement of shops have got initiated and very shortly shops from the available once will be allotted/ settled in the name of writ petitioners.”

4. Having regard to the above averments made in the counter affidavit by the respondent No. 3, the present writ petition is disposed of directing the concerned authority to take necessary steps for allotment and hand over the possession of the shops to the petitioner as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order.

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

(A. Abhishek Reddy , J)

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