

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13920 of 2018

- 1.1. Kumari Kamini Wife of Satya Praksh Resident of Ward- 11, Ghoghsa, Lakhisarai, Bihar- 811316.
- 1.2. Kanchan Devi Wife of Arun Kumar Resident of Ward No.- 40, Tola Sahajanand Nagar, Begusarai, Bihar- 851101.
- 1.3. Kundan Kumari Wife of Pawan Kumar Resident of Village- Fulakiya, P.S.- Bariyarpur, District- Munger, Bihar- 811211.
- 1.4. Supriya Biswal Wife of Uma Shankar Biswal Resident of Plot No.- 352/3145, Lingraj Nagar, Bhubaneshwar, Khorda, Old Town, Odissa- 751002.
- 1.5. Pragya Kumari Wife of Murari Kumar Postmortem Road, Shivanagar, Nawada, Gondapur, Nawada, Bihar- 805110.
- 1.6. Purna Daughter of Balkeshwar Prasad Resident of Sherpar, Barbiga, Shekhpura, Bihar- 811001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Bihar, Patna.
2. The Bihar State Housing Board, through its Managing Director, Patna.
3. The Managing Director, Bihar State Housing Board, Patna.
4. The Secretary, Bihar State Housing Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shekhar Singh, Adv. Mr.Sumit Kumar, Adv.
For the Respondent/s	:	Mr.Subash Pd. Singh, Adv. Mr.Shiv Kumar, AC to GA-3
For the Housing Board	:	Mr.Ravindra Priyadarsh, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 21-11-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.a) For a direction to the respondent nos. 2 to 4 to make allotment of the MIG Plot to the petitioners, pursuant to the allotment made vide order no. 205 dated 03.01.1991 in favour of the



husband of the petitioner Late Balkeshwar Prasad as well as in the light of the agreement dated 05.03.1998, made with the petitioner, forthwith.

b) For quashing the decision of the respondent no. 1 contained in the press communique published in 'Dainik Bhasker' newspaper, a Hindi daily dated 09.11.2017, whereby it has been notified to the allottees who have not been given possession, to file application for refund of their paid amount with 8% compound interest.

c) Alternatively, it is prayed that the concerned respondents be directed to refund the money paid for the allotment of the MIG plot in question @ equivalent to the present market value of the allotted plot as on today.”

2. At the outset, the learned counsel for the respondent-Bihar State Housing Board, has submitted that as per Section 4 of the Digha Acquired Land Settlement Act, 2010, the amount deposited by the allottees is required to be refunded with compound interest at the rate of 8 %, hence the petitioners should approach the Managing Director, Bihar State Housing Board, Patna, by filing appropriate application along with all the requisite documents, whereupon the amount deposited by the husband of the original petitioner along with compound interest shall be paid, forthwith.



3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners to file appropriate application along with the requisite documents with the Managing Director, Bihar State Housing Board, Patna, within a period of four weeks from today, whereupon the same shall be considered, in accordance with law and the admitted amount deposited by the husband of the original petitioner along with the compound interest shall be refunded to the petitioners, within a period of six weeks, thereafter.

4 The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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