

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11026 of 2022

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Shambhu Prasad Sinha Son of Sri Shiv Balak Sinha, Resident of Mohalla- G.
Road, P.S.- Civil Line, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gaya.
3. The Circle Officer, Town Circle, Gaya.
4. The Bihar State Housing Board, through its Chairman.
5. The Chairman, Bihar State Housing Board, Patna.
6. The Executive Engineer, Housing Board, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. J.S. Arora, Advocate
		Mr. Manoj Kumar, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan (SC 25)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-04-2024 Heard J.S. Arora, learned Senior Counsel for the
petitioner and learned counsel for the State.

2. The present writ petition has been preferred for the
following reliefs:-

*(i) for commanding the Bihar State
Housing Board (hereinafter referred to as the
Board) and its authorities to remove the sign board
of the Respondent Board fixed on the raiyati land
of the petitioner, without any authority of law and
without taking any legal recourse in that regard,
for making claim on the said of the petitioner;*

(ii) also for commanding the respondent-



Board to restraining the Board from interfering in peaceful possession of the petitioner's on the said land, over which the petitioner has got exclusive right, title interest and possession.

3. A counter affidavit has come on behalf of the respondent nos. 4 to 6 (Bihar State Housing Board). However, on call, no one appears on behalf of the said Housing Board.

5. Paragraph-13 of the counter affidavit read as follows:

“ that it is important to be noted thall all sign Boards placed upon the land which has been acquired in the year 1975-76 by the Board for construction of Housing Colony in Anugrahpuri Colony (47.625 acre of land), Mustafabad (82.34 acre) and in Katari (81.91 acre) as per acquired plan.”

6. Though reply to the said counter affidavit has been filed on behalf of the petitioner, specific rebuttal to the said statement of the Housing Board is not on record.

7. Mr. Arora, learned Senior Counsel for the petitioner submits that as per the information given by the petitioner, no compensation was ever granted to him.

8. In view of the categorical statement of the Housing Board that the land has been acquired in the year 1975-76, not



rebutted, no relief can be extended to him.

9. In that background, learned counsel for the petitioner submits that he is ready to satisfy the Collector, Gaya on this point.

10. Considering the aforesaid limited prayer, this Court is of the view that the Collector, Gaya that if the petitioner satisfy him by filing a proper petition along with all relevant documents within a period of four weeks from today, the Collector, Gaya will be taking up the matter immediately and after hearing the parties dispose it of within a period of six months from the submission of the representation.

11. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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