

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18337 of 2023

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1. Sital Choudhary S/o Late Jeetendra Narayan Chaudhary R/o L.I.G.-35, Ashok Nagar, Mustafabad, Post-Rampur, Gaya, Bihar-823001
 2. Mohammad Monarch Ali S/o Abdul Majid R/o LH/45 Shaheed Bhagat Singh Nagar (Mustafabad), District-Gaya, Bihar-823001
 3. Shanti Devi W/o Krishna Prasad Srivastav R/o LH/43 Shaheed Bhagat Singh Nagar (Mustafabad), District-Gaya, Bihar-823001
 4. Sita Ram Prasad S/o Late Shobi Yadav R/o LH/28 Shaheed Bhagat Singh Nagar (Mustafabad), District-Gaya, Bihar-823001

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Patna, Bihar.
3. The Bihar State Housing Board through its Secretary, R-Block, 6, Sardar Patel Marg, Veerchand Patel Road, Patna, Bihar.
4. The Executive Engineer, Bihar State Housing Board, Gaya Division, Bihar.
5. The Managing Director, Bihar State Housing Board, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Amrit Kumar, Advocate
For the Respondent/s	:	Mr.Md. Nadim Seraj (Gp 5)
For Housing Board	:	Mr.Rahul Kumar, Advocate
		Mr.Vikash Kr. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 03-09-2024 1. At the outset, the learned counsel for the petitioner seeks permission to add the Managing Director, Bihar State Housing Board, Patna as party respondent no.5 to the present writ petition. Permission so sought is granted. Needful be done during the course of the day.
2. The present writ petition has been filed seeking the



following relief(s):-

“1(a) Issuance of direction, order or writ, including writ in the nature of certiorari for quashing letters dated 28.11.2022 bearing reference number 837, 861, 842 & 860 issued under the signature of Executive Engineer, Bihar State Housing Board, Gaya Division, Bihar to the Petitioners.

(b) During the pendency of this writ application, the Hon'ble Court may be pleased to direct the Executive Engineer, Bihar State Housing Board, Gaya Division, Bihar to not disturb the peaceful possession of the Petitioners in their allocated houses wherein they have been residing for more than 25 years.

(c) Issuance of direction, order or writ, including writ in the nature of mandamus directing the respondent authorities to amicably resolve the matter as the Petitioners are ready for course correction if there is any default of part payment against the allocation of houses in question.”

3. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Managing Director, Bihar State Housing Board, Patna by filing appropriate petition, challenging the order passed by the Executive Engineer, Bihar State Housing Board, Gaya, directing



them to vacate the houses in question within a period of 15 days. Liberty so sought is granted.

4. It is needless to state that in case appropriate petition is filed, before the respondent no.5, within a period of two weeks from today, the respondent no.5 shall consider the same, in accordance with law and pass a reasoned and a speaking order, within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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