

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14315 of 2015**

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Smt. Kamla Devi D/o Late Paras Nath Singh, W/o Late Prafulla Pd Singh  
resident of Lower Income Group Flat No. 100/17, Lohia Nagar, Kankarbagh  
Colony, P.S. Kankarbagh, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Bihar State Housing Board, through the Managing Director, 6 Manles Road, Patna
3. The Managing Director, Bihar State Housing Board, 6 Manles Road, Patna
4. The Managing Estate, Bihar State Housing Board, 6 Manles Road, Patna
5. The Executive Engineer, Bihar State Housing Board, Patna Division I, Patna null null
6. The Executive Engineer, Bihar State Housing Board, Patna Division II, Patna
7. The District Magistrate, Patna
8. The Administrative Officer, District Control Room, District Magistrate Office, District - Patna
9. The Junior Engineer, Public Health Division, Bihar State Housing Board, Patna

... .. Respondent/s

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**Appearance :**

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|----------------------|---|----------------------------------------------------------|
| For the Petitioner/s | : | Mr. Amaresh Kumar Sinha, Adv<br>Mr. Vaibhav Narayan, Adv |
| For the State        | : | Mr. Sudhanshu Shekhar, AC to SC-24                       |
| For the Intervenor   | : | Mr. Koshalendra Rai, Adv<br>Mr. Nagendra Rai, Adv        |

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

12    08-05-2025                      Heard learned counsel appearing for the petitioner,  
  
Mr. Amaresh Kumar Singh, learned counsel appearing for the  
  
State Mr. Sudhanshu Shekhar and learned counsel for the  
  
proposed-intervenor Mr. Koshalendra Rai.

2. With the consent of the parties, the present writ  
application is being disposed of at the present stage itself.



3. The petitioner has filed the present writ application claiming the following reliefs:

*(i) For issuance of a writ in the nature of writ of Certiorari or any other appropriate writ, order or direction, quashing the letter dated 12.01.2015 (Annexure-11) and the consequential letter bearing no. 706 dated 25.05.2015 (Annexure-12) issued under the signature of Executive Engineer, Bihar State Housing Board, Patna, Division-I, Patna, whereby the petitioner has been directed to remove the encroachment within 7 days from the date of receipt of the aforesaid letter failing which action will be taken against him.*

*(ii) For issuance of a writ in the nature of writ of Mandamus or any other appropriate writ, order or direction, commanding the respondents not to forcibly remove / demolish the structure the petitioner with the help of the police force and the Executive Magistrate in-as-much-as the issue has been settled by the earlier decision of the competent Authority and Appellate Authority constituted under the Statute i.e. the Bihar State Housing Board Act.*

*(iii) For issuance of a writ in the nature of writ of Mandamus or any other appropriate writ, order or direction, commanding the Respondent Authorities not to interfere with the peaceful possession of the petitioner.*

*(iv) For issuance of a writ in the nature*



*of writ of Mandamus or any other appropriate writ, order or direction, commanding the respondent Housing Board and its officials to take necessary action for allotment of extra piece of land measuring approximately 500 sq. ft adjacent to the flat of the petitioner in terms of the orders of the Competent Authority and the Appellate Authority.*

*(v) For any other relief.*

4. Learned counsel for the petitioner submits that the relief claimed by the petitioner in paragraph 1(i), 1(ii) and 1(iii) have become infructuous and therefore, he does not wish to press the same. The counsel for the petitioner is thus only pressing the relief claimed by the petitioner in paragraph 1(iv).

5. During the course of argument, it has come to light that for claiming the relief under paragraph 1(iv) as quoted above, the petitioner has already filed application/representation before the Bihar State Housing Board vide Annexure-8 dated 24.10.2007. The petitioner submits that he would be satisfied if this Court would direct the Housing Board to dispose of the said representation (Annexure-8) within a fixed time frame.

6. Learned counsel appearing for respondent-State and proposed intervenor have no objection to the said prayer being made by the learned counsel appearing for the petitioner.



7. In view of the prayer made by the petitioner, this writ application is being disposed of directing the Bihar State Housing Board (respondent no. 3) to decide/dispose of the representation of the petitioner (Annexure-8) within four weeks from the date of production of a copy of this order by passing a reasoned and speaking order after giving due opportunity to the petitioner and other parties concerned, if considered necessary.

8. With the aforesaid observation/direction, the present writ application stands disposed of. Pending I.A., if any, will deemed to have disposed of.

**(Alok Kumar Sinha, J)**

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