

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10368 of 2026

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1. Santosh Mishra Son of Sushil Mishra, Resident of Village Parman, P.O. Jamdaha, P.S. Katoriya, District-Banka, Bihar-821104.
 2. Omprakash Satynarayan Sah, Son of Satynarayan Sah, Resident of Village and P.O- Jamdaha, P.S. Katoriya, District- Banka, Bihar-821104.
 3. Birendra Kumar Panjiyara, Son of Kali Panjiyara, Resident of Village and P.O- Jamdaha, P.S. Katoriya, District- Banka, Bihar-821104.
 4. Shankar Yadav, Son of Makharu Yadav, Resident of Village- Nilkunj, P.O- Laxmipur, P.S. Katoriya, District- Banka, Bihar-813102.
 5. Munna Kumar Mandal, Son of Nandlal Mandal, Resident of Village Gopalganj, P.O- Jamdaha, P.S. Katoriya, District- Banka, Bihar-813102.
 6. Punam Devi, wife of Shiv Shankar Sah, Resident of Village- Jamdaha, P.O- Jamdaha, P.S. Katoriya, District- Banka, Bihar-813102.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Vikas Bhawan, New Secretariat, Patna - 800015.
2. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Banka, District Banka, Bihar.
3. The District Magistrate-cum-Collector, Banka, District Banka, Bihar.
4. The Zila Parishad, Banka, through its Chief Executive Officer, District Banka, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sharma, dv.
For the Respondent/s : Mr. Addl. Advocate General (04)

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

2 17-07-2026 Heard the learned counsel for the parties.

The present writ petition has been filed for the
following relief(s):-

*“A. For issuance of a writ in the
nature of mandamus or any other appropriate
writ/order/direction commanding the Deputy*



Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Banka (Respondent No. 2), to take final discussion on petitioners representation dated 01-06-2026 (Annexure P/5) addressed to the Respondent No. 2 in connection with compliance of direction given by the Respondent No. 3 whereby staying the allotment of shops at Jamdaha, Block Katoriya under Zila Parishad, Banka and to afford a fair and reasonable hearing to the Petitioners before taking any decision settlement/allotment of the said shops.

B. For issuance a writ in the nature of mandamus or any other appropriate writ/order/direction directing the Respondents to settle/allot the shops presently occupied by the Petitioners in their favour on a priority basis, in recognition of their continuous occupation since 1995 and the settlement orders dated 07.03.2002 and 09.07.2002, on the same terms and conditions as to monthly rent as have been applicable hitherto, without insisting on payment of any lump-sum annual rent or premium.

C. For issuance a writ in the nature of mandamus for direction to restraining the Respondents, their officers, agents and subordinates from taking any coercive action, including dispossession or eviction of the Petitioners from the shops in question, or allotting the said shops to any third party, until the Petitioners are afforded a fair hearing as



directed by Respondent No. 3.

D. For issuance a writ in the nature of mandamus or any other appropriate writ/order/direction quashing the allotment notice dated 05-11-2026 issued by Respondent No. 2 (Annexure P/3), being arbitrary, illegal, without jurisdiction and in violation of the binding order of Respondent No. 3.”

3. Without going into the merits or demerits of the case, the present writ petition is disposed of at the stage of admission with the consent of both the counsels.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has given a representation/complaint dated 01.06.2026 (Annexure-P/5) to the respondent No. 2 who is the competent authority and it would suffice if a direction is given to the said authority to consider the said representation and pass necessary orders by fixing a time-frame.

5. Learned counsel appearing on behalf of the respondent no. 2 submits that the representation given by the petitioner may not be available in the office of the respondent No. 2 at this point of time. That the petitioner may be directed to give a fresh representation to the representation No. 2 and the same shall be dealt with in accordance with law.

6. Having regard to the above made submissions, the



present writ petition is disposed of granting liberty to the petitioner to file a fresh representation/ complaint before the respondent No. 2 within a period of four weeks from the date of receipt of a copy of this order.

7. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of four weeks thereof. Any orders passed shall be communicated to the party.

8. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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