IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 3284 of 2015

Raj Tilak, son of Late Malu Yadav, resident of M.B.E. Quarters, Kumardhubi, P.O. Chirkunda (Kumardhubi), Kumardhubi, P.S. District Dhanbad, Jharkhand.

..... … Petitioner

Versus

1. The Jharkhand State Housing Board through its Managing Director having its office at Harmu Housing Colony, P.O. Harmu, P.S. Argora, District Ranchi.
2. The Executive Engineer, Jharkhand State Housing Board, Dhanbad, having its office at Dhanbad Housing Colony, P.O. & P.S. Dhanbad, District Dhanbad.
3. Shobha Sinha, wife of Ravi Sinha, at present residing at Qr. No. 2/1-7, Taldanga Housing Colony, P.O. Kumardhubi, P.S. Chirkunda (Kumardhubi), District Dhanbad, Jharkhand.
4. Ravi Sinha, son of not know to the petitioner, at present residing at Qr. No. 2/1-7, Taldanga Housing Colony, P.O. Kumardhubi, P.S. Chirkunda (Kumardhubi), District Dhanbad, Jharkhand.

..... … Respondents

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Rohan Mazumdar, Advocate.
For the JSHB : Mr. Sachin Kumar, Advocate.
For the Resp. Nos. 3 & 4 : Mr. Mukesh Kumar Sinha, Advocate.

10/ 21.09.2026 Heard Mr. Rohan Mazumdar, learned counsel appearing for the petitioner, Mr. Sachin Kumar, learned counsel appearing for the respondent Nos. 1 and 2 [Jharkhand State Housing Board] and Mr. Mukesh Kumar Sinha, learned counsel appearing for the private respondent Nos. 3 and 4.

2. This writ petition has been filed under Article 226 of the Constitution of India for quashing of the Memo No. 273 dated 12.02.2015, whereby the house No. 2/1-7 allotted to the petitioner has been cancelled and allotted to respondent No. 3.

3. Learned counsel appearing for the petitioner submits that without issuing any show cause notice and the opportunity of hearing to the petitioner, the impugned order has been passed, which is in violation of the principle of natural justice and in that view of the matter, the said impugned order may kindly be set aside.

4. Learned counsel appearing for the Jharkhand State Housing Board submits that the counter affidavit has already been filed, wherein it has been stated that illegally the house in question was allotted to the petitioner as well as respondent No. 3.

5. Learned counsel appearing for the private respondent Nos. 3 and 4 submits that after cancellation of the allotment of the petitioner, the house in question has been allotted to respondent No. 3.

6. Annexure-7 is the impugned order dated 12.02.2015 and on perusal of the same, it transpires that the said order has been passed without applying the mind, as the same has been passed by way of filling the blank space in the format and other parts are the typed copy. In view of that, it clearly suggests that the said order has been passed without applying the mind and this order is cryptic one.

7. As such, the Memo No. 273 dated 12.02.2015, whereby the house No. 2/1-7 allotted to the petitioner has been cancelled and allotted to respondent No. 3, is hereby, quashed. The matter is remitted back to the Secretary, Jharkhand State Housing Board, Ranchi, who will look into the matter and pass a fresh order after providing the opportunity of hearing to the petitioner and respondent Nos. 3 and 4.

8. The petitioner and the respondent Nos. 3 and 4 are directed to appear before the Secretary, Jharkhand State Housing Board, Ranchi on 05.10.2026 at 11.00 A.M. The petitioner and the respondent Nos. 3 and 4 are put at liberty to make out their cases by way of filing appropriation petition and credentials, which shall be decided by the Secretary, Jharkhand State Housing Board, Ranchi.

9. It is made clear that the if petitioner and the respondent Nos. 3 and 4 will not appear before the Secretary, Jharkhand State Housing Board, Ranchi on the date and time fixed by this court, the Secretary, Jharkhand State Housing Board, Ranchi may pass a reasoned order in accordance with law.

10. Since this court has fixed the appearance date and time of the petitioner and the respondent Nos. 3 and 4 before the Secretary, Jharkhand State Housing Board, it will not be open to the petitioner and the respondent Nos. 3 and 4 to claim as they have not been noticed.

11. This writ petition is disposed of with the above observation.

(Sanjay Kumar Dwivedi, J.)

Dated:-21.09.2026
Amitesh/-