

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P.(C) No. 1813 of 2020**

Rajesh Prasad Keshri ... .. Petitioner

Versus

1. The State of Jharkhand
  2. The Deputy Commissioner, Hazaribag
  3. The Block Development Officer, Barhi, District- Hazaribagh
- ... .. Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner :- Mr. Rajeev Kumar, Advocate

For the State :- Mr. Abhijeet Kumar, A.C. to G.A.-III

**Order No. 03**

**Dated: 14.09.2020**

The present case is taken up through video conferencing.

2. At the request of the learned counsel for the petitioner, the defect, as pointed out by the office, is ignored.
3. The present writ petition has been filed for issuance of direction upon the respondents to complete the construction of 96 shops in the premises of Block Development Office, Barhi, District- Hazaribag, which are lying incomplete despite the fact that the petitioner and others had made part payment for the purpose of allotment of the said shops 14 years back and further on completion of the said shops, the petitioner be handed over the possession of the shop for which he had applied for allotment.
4. Learned counsel for the petitioner submits that during the year 2005-06, the Deputy Commissioner, Hazaribag (the respondent no. 2), came up with a scheme to construct 35 shops measuring an area of 100(10 x 10) sq.feet each in the premises of Block Development Office, Barhi. Initially, 35 shops were to be constructed in the said premises. However, the Block Development Officer, Barhi (the respondent no. 3) subsequently asked 61 more persons to deposit money so that altogether 96 shops could be constructed. The petitioner also applied by depositing Rs.2,500/- and Rs. 10,000/- by way of bank drafts dated 06.10.2005 and 27.10.2005 respectively. The receipts thereof were also issued to him by the respondent no. 3. Thereafter, the petitioner tried to deposit the amount of second installment of Rs.12,500/- by way of bank draft dated 27.03.2006, however the same was refused by the said Block office. Since then the

petitioner and others have been pursuing the said matter before the respondent authorities, however no steps have been taken by them in this regard, which has compelled the petitioner to file the present writ petition.

**5.** Mr. Abhijeet Kumar, learned A.C. to G.A.-III appearing on behalf of the respondents, submits that the petitioner has filed the present writ petition after several years. It is also submitted that only because the petitioner deposited certain amount before the concerned authorities, the same by itself would not entitle him for allotment of the shop. In any view of the matter, the present issue is required to be factually examined by the competent authority.

**6.** Having heard the learned counsel for the parties and keeping in view the nature of the prayer made in the writ petition, without entering into the merit of the petitioner's claim, he is given liberty to file a fresh representation before the respondent no. 2. On receipt of the said representation, the respondent no. 2, after providing due opportunity of hearing to the petitioner/his representative, shall take appropriate informed decision on the present issue within a period of three months from date of filing of the said representation.

**7.** The writ petition is accordingly disposed of with aforesaid liberty and direction.

**(Rajesh Shankar, J.)**

Ritesh/