

Court No. - 21

Case :- WRIT - C No. - 38294 of 2023

Petitioner :- Ramgyan And 9 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Viresh Kumar Gupta

Counsel for Respondent :- C.S.C

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Donadi Ramesh,J.

1. Heard Sri V.K. Gupta, learned counsel for the petitioners and Shri Rajiv Gupta, learned Additional Chief Standing Counsel for the State respondents.

2. The present writ petition has been preferred for the following reliefs:-

"(a) Issue a writ order or direction in the nature of mandamus directing the respondent no.2 (District Magistrate Sonbhadra/Administrator (Rehabilitation), Kanhar, Irrigation/Dam Project Sonbhadra to provide the package for rehabilitation and resettlement by adding petitioners' name in the list of the rehabilitation and land oustees of Kanhar Dam Project Duddhi Sonbhadra within the stipulated period according to sub paragraph No.(v) of the paragraph No.4 of government order dated 30.10.2014.

(b) Issue a writ order or direction in the nature of mandamus directing the respondent no.2 to pay the rehabilitation package as government order dated 30.10.2014."

3. According to the petitioners their lands were acquired for construction of Kanhar Dam in Sonbhadra. The State Government had issued a Government Order on 30.10.2014 for payment of compensation for rehabilitation/settlement of the displaced persons from their holdings. Learned Counsel for the petitioners submits that despite repeated representations, the grievance of the petitioners has not been redressed.

4. Learned counsel for the petitioners in support of his submission places reliance on the orders dated 28.06.2023 & 30.3.2018 passed by coordinate Benches in Writ-C No.20621 of 2023 (Ram Karan and another vs. State of U.P. and 2 others) & Writ-C No.11574 of

2018 (Sona Bachcha and 5 others vs. State of U.P. and 2 others). Both the writ petitions were disposed of asking the District Magistrate concerned to decide the claim of the petitioners in the light of the aforesaid Government Order. He submits that similar indulgence may be accorded to the petitioners.

5. Considering the facts and circumstances, without advertent on merits, the writ petition is disposed of requiring the District Magistrate, Sonbhadra to decide the claim of the petitioners expeditiously in the light of Government Order dated 30.10.2014, preferably within a period of three months from the date of production of a certified copy of this order along with a fresh representation.

Order Date :- 6.11.2023

RKM

(Donadi Ramesh, J.) (Manoj Kumar Gupta, J.)