

Court No. - 21

Case :- WRIT - C No. - 43066 of 2023

Petitioner :- Ramlal

Respondent :- Union Of India And 2 Others

Counsel for Petitioner :- Viresh Kumar Gupta

Counsel for Respondent :- C.S.C., Hanuman Prasad Dube

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Kshitij Shailendra, J.

1. The petitioner claims to be a displaced person as a result of N.T.P.C. having constructed a Ash Dam over Gata Nos.112-M and 251-Ka and other adjoining land.

2. The grievance of the petitioner is that despite N.T.P.C. having given undertaking before the Supreme court in **Banwasi Seva Ashram Vs. State of U.P.: (1992) 2 SCC 202** that it would treat the displaced persons as land oustees and the policy framed in this regard shall be applied to the displaced persons, the benefits thereunder have not been given to the petitioner so far. He has also not been been paid solatium.

3. Sri H.R. Mishra, learned Senior Counsel, assisted by Sri H.P. Dubey, appearing of the respondents no.2 and 3, sates that the claim of the petitioner relating to payment of solatium and rehabilitation in terms of the order of Supreme Court in **Banwasi Seva Ashram (supra)** shall be considered by the respondent no.3.

4. Accordingly, without expressing any opinion on the merits, the petition is **disposed of** with direction to respondent no.3 to pass a speaking order in respect of the claim of the petitioner within a period of twelve weeks from the date of communication of the instant order along with a fresh representation.

5. The order has been passed in the presence of Sri Vaibhav Tripathi, counsel for the respondent no.1.

Order Date :- 15.12.2023

AKShukla/-

(Kshitij Shailendra, J.) (Manoj Kumar Gupta, A.C.J.)