

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17342 of 2011

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Arun Kumar Singh, S/O Late Jit Narayan Singh, R/O Village - Moresarai,
P.S. - Sasaram, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Rohtas At Sasaram.
3. The District Land Acquisition Officer, Rohtas At Sasaram.
4. The Anchal Adhikari, Shivsagar, Rohtas At Sasaram.
5. Vijay Kumar Singh S/O Late Jit Narayan Singh R/O Village Moresarai,
P.S. - Sasaram, District - Rohtas.
6. Upendra Kumar Singh S/O Late Ram Bilash Singh R/O Village -
Moresarai, P.S. - Sasaram, District - Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh
Mr. Satye Prakash

For the Respondent no. 1 to 4: Mr. Krishna Chandra AC to AG

For the Respondent no. 5 & 6: Mr. Ambuj Nayan Choubey
Mr. Ashok Kumar Garg
Mr. Dineshwar Pandey

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 22-12-2015 In the light of order dated 15.09.2015, a supplementary counter affidavit on behalf of the respondent no. 2 to 4 is being filed by the learned AC to AG appearing on behalf of the respondent no. 1 to 4, which is taken on the record.

In the aforesaid supplementary counter affidavit, it has been stated that the lands in question claimed by the petitioner vis-à-vis respondent no. 5 and 6 are no longer required for National Highway-2 as the alignment of village Godwar in the district of Rohtas has been shifted.

The learned AC to AG appearing on behalf of the aforesaid respondents submits that in view of the aforesaid developments though earlier award was prepared on 11.08.2014,

but payment was not made either to the petitioner or to respondent no. 5 and 6 on account of dispute of claim between the parties and the matter was referred to the Civil Court. He further submits that in view of the aforesaid developments and lands in question having been released from the acquisition proceedings, the reference has become redundant as award amount is not required to be paid to anyone by the State authority.

The learned counsel appearing on behalf of the petitioner has fairly submitted that in view of the aforesaid developments, the present matter has practically become infructuous.

In view of the aforesaid submissions, the writ petition stands disposed of as infructuous. However, the petitioner and/or the respondent no. 5 and 6 shall be at liberty to get their right and title decided over the lands in question in an appropriate proceeding before an appropriate forum/ court.

(Birendra Prasad Verma, J)

B. Tiwary / ajaypd./-

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