

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20153 of 2013

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Kushesher Gope alias Kusheshwar Gope, son of late Genahari Gope
(Expunged vide order dated 12.09.2014 and substituted by his following
heirs:)

- (i). Urmila Devi wife of late Kuesher Gope
- (ii) Biresb Prasad
- (iii) Ram Narain Prasad Yadav
- (iv) Awadesh Prasad Yadav
- (v) Sonelal Yadav

Petitioner No.(ii) to (v) are sons of late Kusheshwar Gope, all residents
of Village- Gowasha Shekhpura, P.S. Pandarak, Barh, District- Patna,
Bihar.

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Union of India through the Secretary Energy, New Delhi
- 3. The Secretary, Revenue And Land Reforms Department, Bihar, Patna
- 4. The Collector, Patna District, Patna
- 5. The District Land Acquisition Officer, Patna
- 6. The Chief General Manager, East Zone, N.T.P.C., Patna, Bihar
- 7. The General Manager, N.T.P.C. Barh, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar
Mr. Sanjay Kumar
For the Respondent No.1, 3 to 5 : Mr. Krishna Chandra, AC to AG
For the Respondent No. 2 : Dr. Punam Kumari Singh, C.G.C.
For the Respondent No. 6 & 7 : Mr. Anil Kr. Singh
Mr. Abhimanyu Deo

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 14-12-2015 Heard the parties.

In view of the nature of claims/grievances raised on
behalf of the substituted petitioners in the present writ petition as
also in the representation, as contained in Annexure-8, which has
not been disposed of till date, this Court is of the opinion that
instead of keeping the matter pending before this Court, the
interest of justice shall be sub-served if the substituted petitioners
are granted liberty to file a fresh comprehensive representation

before the respondent District Collector, Patna with all supporting documents raising all the valid grievances with respect to the lands originally belonged to the substituted petitioners, which has now been acquired. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the substituted petitioners within a period of one month from today with a certified copy of the present order, then the respondent District Collector, Patna either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claim of the substituted petitioners by a reasoned and speaking, after giving an opportunity of hearing to all concerned including the substituted petitioners at an early date preferably within a period of three months from the date of filing of such representation.

If on consideration of the materials the respondent District Collector, Patna or any other competent authority of the respondent State comes to a conclusion that claims raised on behalf of the substituted petitioners are admissible to them, then consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the substituted petitioners in the present writ petition and it is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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