

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21781 of 2013

- =====
1. Shiv Shankar Sah, son of late Sitaram Sah
 2. Ram Kishore Sah, son of late Ram Lakhan Sah
 3. Binod Sah, son of late Ramdeo Sah.
 4. Suresh Sah, son of late Ramdeo Sah
 5. Bhikhari Sah, son of late Ramdeo Sah
 6. Jai Mangal Sah, son of late Ram Swaroop Sah
 7. Shatrughan Sah, son of Sri Jai Mangal Sah.
 8. Lakshmi Mahto, son of late Jhingur Mahto.
 9. Jagdish Mahto, son of late Siyaram Mahto
 10. Kalichand Mahto, son of late Ramphal Mahto
 11. Nagendra Sah, son of Sri Jai Mangal Sah.
 12. Ashok Kumar @ Ashok Sah, son of late Ram Lakhan Sah.
 13. Ram Sakal Sah, son of late Sitaram Sah.
- All resident of village-Takaur, P.S.-Runnisaidpur, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
3. The Collector, Sitamarhi.
4. The District Land Acquisition Officer, Sitamarhi.
5. The In-charge Deputy Collector, Sitamarhi.
6. The Circle Officer, Runnisaidpur, District-Sitamarhi.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.

For the Respondent/s : Mr. Krishna Chandra, AC to AG

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 21-12-2015

Heard the parties.

The only grievance of the petitioners in the present writ petition is that, though they have filed their objections before the respondent District Land Acquisition Officer, Sitamarhi as also before the District Collector, Sitamarhi in response to the notices issued by the competent authority-cum-District Land Acquisition Officer, Sitamarhi, as contained in Annexure-1 series, but their claims have not been disposed of till date and the matter is kept pending on one pretext or the other.

Though, this writ petition was filed way back on 28.10.2013, but, despite passage of more than two years, the counter affidavit has not been filed on behalf of the respondents.

In above view of the matter and in view of the nature of the grievances/claims raised on behalf of the petitioners, this Court is of the opinion that, instead of keeping the matter pending before this Court awaiting the counter affidavit on behalf of the respondents, the interest of justice shall be sub-served, if the petitioners are granted liberty to file their separate representations with all supporting documents before the respondent District Land Acquisition Officer, Sitamarhi in the light of the notices issued to them, as contained in Annexure-1 series. It is ordered accordingly.

If such separate representations are filed on behalf of each of the petitioners in the manner indicated above within a period of one month from today with a certified copy of the present order, then the respondent District Land Acquisition Officer, Sitamarhi shall be obliged to consider and decide the claims of the petitioners, after giving an opportunity of hearing to them and others, if any, by a reasoned and speaking order, at an early date, preferably within a period of three months from the date of filing of such representations.

If on consideration of the materials, the respondent District Land Acquisition Officer, Sitamarhi comes to a conclusion that the claims raised on behalf of the petitioners are admissible to them, then the consequential order(s) shall also be issued for grant of such admissible claims.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the 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)

Arvind/-

U			
---	--	--	--