

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22222 of 2012

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1. Satyendra Kumar son of Sri Vishnu Sao, resident of Mohalla- Pali, Dehri, Rohtas
 2. Shyam Prasad son of Late Baijnath Sao Mohalla- Pali, Dehri, Rohtas
 3. Ashok Kumar son of Gokul Sao Mohalla- Gandhi Nagar, Dehri, Rohtas
 4. Dr. N. K. Choudhary son of Late Nagina Choudhary Mohalla- Makaraian, Dehri, Rohtas
 5. Arun Kumar Agarwal son of Late Ramji Prasad Agarwal Mohalla- Pali, District Rohtas
 6. Arvind Kumar Pandey son of Sri Suryadeo Pandey Mohalla- New Area, Dehri, Rohtas
 7. Umesh Singh son of Sri Basawan Singh Mohalla- Makaraian, Dehri, Rohtas
 8. Rajesh Kumar Mehta son of Late Ramdeo Mehta Mohalla- New Gangoli, Dalmianagar, Dehri, Rohtas
 9. Om Prakash Singh son of Sri Sachchitanand Singh Mohalla- New Sidhauri, Dehri, Rohtas
 10. Munna Thakur son of Late Bhariman Thakur Village- Purnawashi Biga, P.O.- Dalmianagar, P.S.- Dehri, Rohtas
 11. Saroj Kumar Pandey son of Sri Prithvi Nath Pandey Mohalla- Gandhi Nagar, Dehri, Rohtas
 12. Pappu Kumar son of Veerchandra Rishi Mohalla- Pali, Dehri, Rohtas
 13. Virendra Kumar Singh son of Sri Baban Singh Mohalla- Bharkaul, Dehri, Rohtas
 14. Sandeep Kumar Pandey son of Sri Satyendra Pandey Mohalla- New Area, Dehri, Rohtas
 15. Geeta Devi wife of Arun Kumar Pandey Mohalla- New Area, Dehri, Rohtas
 16. Shanta Das son of Sri Madan Kumar Das Mohalla- Gandhi Nagar, Dehri, Rohtas
 17. Rudra Prakash Singh son of Late Tapeshwari Singh Mohalla- Pali, Dehri, Rohtas
 18. Vikash Kumar Singh son of Sri Om Prakash Singh Mohalla- Pali, Dehri, Rohtas
 19. Vikash Kumar son of Sri Rajendra Prasad Mohalla- Pali, Dehri, Rohtas
 20. Sarita Devi wife of Arun Kumar Mohalla- Pali, Dehri, Rohtas
 21. Nitesh Kumar Verma son of Krishna @ Kishan Kumar Mohalla- Pali, Dehri, Rohtas
 22. Shiv Dhyam Ram son of Late Thakur Ram Mohalla- Pali, Dehri, Rohtas
 23. Sikandra Prasad son of Jagannath Sao Mohalla- Pali, Dehri, Rohtas
 24. Vakil Ram son of Late Lakhan Ram Mohalla- Pali, Dehri, Rohtas
 25. Vinay Kumar son of Late Sharda Prasad Mohalla- Pali, Dehri, Rohtas
 26. Shailendra Kumar son of Sri Jagannath Prasad Mohalla- Pali, Dehri, Rohtas
 27. Pramod Kumar Singh son of Sri Avdhesh Singh Mohalla- Pali, Dehri, Rohtas
 28. Afzal Hussain son of Ashif Hussain Mohalla- Pali, Dehri, Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Managing Director, Bihar Rajya Pul

Nigam

2. The District Magistrate, Sasaram

3. The Additional Collector, Sasaram

4. The District Land Acquisition Officer, Sasaram

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Nand Kumar Singh, Advocate

Mr. Rajesh Kumar Singh, Advocate

For the Respondent/s : Mr. Ajay Kumar Sharma, AC to PAAG

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

8 29-10-2015

It is submitted by the learned counsel that the petitioners are tenants of some landlords and in that capacity, a prayer has been made for a direction to the respondents for payment of compensation for the lands acquired by the respondents. However, so called landlords have not been made parties in the present proceeding.

A counter affidavit has been filed on behalf of the respondent nos. 2 to 4 wherein it has been stated in paragraph 5 that the real interested persons (the land holders) have already been paid the compensation admissible under the law. Therefore, according to the learned State counsel, the writ petition is liable to be dismissed.

At this stage, learned counsel appearing on behalf of the petitioners raises a grievance that for redressal of their valid grievances, the petitioners have filed their representation (Annexure-3) before the respondent no.4, but the aforesaid representation has not been disposed of till date. The learned State counsel fairly submits that if that be the position, they may file a fresh comprehensive representation, which shall be considered and decided in accordance with law.

In above view of the matter, the present writ petition

is disposed of with a liberty to the petitioners to file a fresh proper petition with all supporting documents before the respondent no.4, after impleading all the necessary parties and by referring the specific provisions of law, which entitles them for compensation.

If such a petition is filed on behalf of the petitioners within a period of one month from today, with a certified copy of the present order, then the respondent no.4 shall consider and decide the same in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to all concerned.

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

(Birendra Prasad Verma, J)

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