

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1017 of 2016

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1. Ram Nath Kumar , son of Late Raj Nandan Sah.
 2. Radha Krishan Prasad son of Late Laxmi Narain Sah, both residents of Village- Olipur, P.O. Olipur, P.S. Runnisaidpur, District- Sitamarhi.
- Petitioner/s

Versus

1. The State of Bihar through Secretary of Government of Bihar.
2. The District Magistrate, Sitamarhi.
3. The Land Acquisition Officer, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
Mr. Alok Kumar Jha

For the Respondent/s : Mr. D.K. Sinha, AAG-2
Mr. Alok Kr. Rahi, AC to AAG-2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 15-01-2016 Heard the parties.

The grievance of the petitioners in the present writ petition is that for redressal of their valid grievances, which have been enumerated in the present writ petition, they and/or their father approached the respondent District Collector, Sitamarhi by filing several representations, but till date neither the representations filed by them have been disposed of nor their valid grievances have been redressed.

In view of the nature of grievances/claims raised on behalf of the petitioners in the present writ petition as also after hearing the learned counsel appearing on behalf of the petitioners and the learned AAG-2 appearing on behalf of the respondents at some length, this Court is of the opinion that instead of asking the respondents to file a counter-affidavit in the present proceeding, the interest of justice shall be sub-served if the petitioners are granted liberty to file a fresh comprehensive representation before the respondent District Collector-cum-District Magistrate,

Sitamarhi, with all supporting documents in support of their claims with respect to the lands in question and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioners with a certified copy of the present order within a period of one month from today, then the respondent District Magistrate-cum- District Collector, Sitamarhi shall be obliged to consider and decide their claims, after giving an opportunity of hearing to the petitioners and all other concerned persons including one Sita Saran Sah, by a reasoned and speaking order, at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioners.

If on consideration of the materials the respondent District Collector comes to a conclusion that the claims raised on behalf of the petitioners with respect to the lands in question are admissible to them, then consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to the lands in question before the respondent District Collector, Sitamarhi.

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

(Birendra Prasad Verma, J)

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