

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6651 of 2016

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Akhilesh Singh, Son of Late Birendra Kumar Singh, Resident of Village +
P.O. + P.S.- Alamnagar, District- Madhepura (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Land Acquisition Authority, Madhepura.
3. The Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.
4. The Superintending Engineer, Road Section, Saharsa.
5. The Executive Engineer, Road Construction Department, First Division, Madhepura.
6. The Circle Officer, Alamnagar, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tuhin Shankar, Adv.
Mr. Brisketu Sharan Pandey, Adv.
For the Respondent/s : Mr. Ashok Kumar, SC-11

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-06-2016 Heard the parties.

In view of the nature of the reliefs sought for on behalf of the petitioner, fully detailed in paragraph 1 of the writ petition with respect to the lands claimed by him, fully described in paragraph 4 of the writ petition, this Court is of the opinion that, instead of keeping the matter pending before this Court asking the respondents to file their counter affidavit, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent District Collector-cum-Magistrate, Madhepura (respondent no.2) with all supporting documents 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 by the

petitioner within a period of one month from today with a certified copy of the present order, then the District Collector, Madhepura shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the petitioner and the concerned State authorities, besides others, if any, at an early date, preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner in the manner indicated above.

If on consideration of the materials and after hearing the parties, the District Collector, Madhepura comes to a conclusion that the claims raised on behalf of the petitioner with respect to the lands in question are admissible to him, then the consequential orders 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 petitioner in the present writ petition with respect to the lands in question and the same is left to be decided by the District Collector, Madhepura strictly in accordance with law.

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

(Birendra Prasad Verma, J)

Arvind/-

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