

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1152 of 2013

IN

Civil Writ Jurisdiction Case No. 10409 of 2005

- =====
1. Suresh Kumar, Son of Late Hari Kishun Singh, Resident of Village Bishunchak, Police Station Fatwah, District Patna
 2. Binod Kumar, Son of Mahendra Prasad, Resident of Village Ranpura, Police Station Fatwah, District Patna
 3. Arbind Kumar, Son of Brij Nandan Singh Resident of Village Nisideochak, Police Station Fatwah, District Patna

.... Appellant/s

Versus

1. The Union of India through Secretary, Department of Railway, Rail Bhawan, New Delhi
2. Secretary, Department of Railway, Rail Bhawan, New Delhi
3. The Chief Engineer, Construction-II, Central Eastern Railway, Hazipur
4. Deputy Chief Engineer (Construction), Central Eastern Railway, Danapur Division, Danapur
5. Deputy General Manager Central Eastern Railway 17 Netaji Subhash Road Near Street, Kolkatta
6. The State of Bihar
7. The Secretary, Department of Revenue, Bihar, Patna
8. The Collector, Patna
9. The District Land Acquisition Officer, Patna
10. Additional Collector, Patna
11. Sub-Divisional Officer, Patnacity
12. Dy. Collector, Patnacity, Patna
13. Circle Officer, Patnacity, Patna

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Tirpit Kumar, Advocate

For the Respondent/s : None.

=====

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 26-09-2016

Heard Sri Yogesh Chandra Verma, learned Senior

Counsel in support of the appeal and with his consent this appeal is

being disposed of at this stage itself.

Having perused the records and having considered the arguments we are not inclined to interfere in the matter, as we find no merit in this appeal.

Railways had acquired certain lands at Fatuha, district Patna for establishing a goods yard. The acquisition was under the provisions of Land Acquisition Act, as it then was. It is not contested that the writ petitioners- appellants' wards got more than adequate compensation. The writ petitioners- appellants claimed to be dependent upon the awardees and as per the administrative decision of the Railways, were entitled for a permanent job in the Railways. Railways turned it down on the ground that though the Railways had taken a decision to give one member of the family employment in the Railways. In the case of first two writ petitioners-appellants they were from the same family, whose other family members had got compensation and employment. The learned Single Judge had also noticed that they had got the Jamabandi amended retrospectively to multiply the number of award cases and then to seek multiple appointments. We agree to the learned Single Judge that this cannot get the writ petitioners, now the appellants, any relief.

So far as writ petitioner no. 3- appellant no. 3 is concerned, he now claims to be an adoptive son of an awardee, there

is no proof of adoption, which is a mere claim that he served him whole life.

We do not find any error in the judgment of the learned Single Judge. The appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

U			
---	--	--	--