

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11392 of 2015

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1. Manorama Devi W/o Late Ram Nandan Singh
 2. Amarnath Kumar
 3. Pintu Kumar, Both Sons of Late Ram Nandan Singh, all R/o Village – Kopa Kalan, Police Station - Naubatpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Secretary, Department of Industry, Bihar, Patna.
4. The Collector, Patna.
5. The District Land Acquisition Officer, Patna.
6. The Sub-Divisional Officer, Danapur, Patna.
7. M/s United Beverage Limited, through its Director Mr. Kalyan Ganguly Son of not known to the petitioners (A Vijay Malya Group Company) U.B. Tower (U.B. City) Bittal Malya Road, Bangaluru, Karnataka.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.11704 of 2015

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1. Saroj Devi W/o Late Umanath Sharma
 2. Amarnath Kumar
 3. Dipak Kumar, Both sons of Late Umanath Sharma, all Residents of Village- Kopa Kalan, Police Station- Naubatpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
3. The Secretary Department of Industry, Bihar, Patna
4. The Collector, Patna
5. The District Land Acquisition Officer, Patna
6. The Sub-Divisional Officer, Danapur, Patna
7. M/s United Beverage Limited, through its Director Mr. Kalyan Ganguly, son of not known to the petitioners. (A Vijay Malya Group Company), U.B. Tower (U.B. City) Bittal Malya Road, Banglooru, Karnataka

.... Respondent/s

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Appearance :

(In CWJC No.11392 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Respondent No.1 to 6: Mr. Biresh Kumar Sinha, AC to AAG-2
(In CWJC No.11704 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Respondent No.1 to 6 : Mr. Biresh Kumar Sinha, AC to AAG-2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-04-2016

On the request of the learned counsel appearing on behalf of the parties, both the above writ petitions have been heard together and are being disposed of by this common order as, according to the learned counsel appearing on behalf of the parties, the issues of facts and law involved therein are almost common and identical.

Heard the parties.

In view of the nature of the claims raised on behalf of the petitioners of both the writ petitions, and in view of the order passed in identical matters including that of CWJC No. 14533 of 2013 disposed of on 04.12.2015, this Court is of the opinion that instead of keeping both the matters pending awaiting the respondents to file their counter-affidavit, the interest of justice shall be sub-served if the petitioners of both the writ petitions are granted liberty to file their separate and individual representations before the respondent District Land Acquisition Officer, Patna with all their respective supporting documents raising all the pleas, which have been raised in these two writ petitions. It is ordered accordingly.

If such separate and individual comprehensive representations are filed by each of the writ petitioners within a period of one month from today with a certified copy of the present order, then the respondent District Land Acquisition Officer, Patna either himself or any other competent authority of the respondent State shall be obliged to consider and decide their

claims by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the petitioners, besides others, if any, at an early date preferably within a period of three months from the date of filing of such representation by each of the petitioners.

If on consideration of materials, the competent authority comes to a conclusion that the claims raised on behalf of the writ petitioners are admissible to them, then consequential order(s) 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 petitioners and this is left to be decided by the prescribed authority/authorities strictly in accordance with law.

Both the above writ petitions stand finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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