

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18709 of 2014

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Lal Babu Singh Son of Late Kameshwari Singh, Resident of Village -
Ekbalganj Nisarpura, P.S. - Rani Talab (Kanpa), District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Land Acquisition, Water Resources Department, Bihar,
Patna.
3. The Collector, Patna.
4. Special Land Acquisition Officer, Flood Protection Scheme, Anisabad,
Patna-2.
5. Sidheshwar Singh
6. Shambhu Singh, Both Sons of Late Godhan Singh,
7. Arbind Kumar
8. Ashok Kumar,
9. Ranjit Kumar All 7 to 9 sons are of Late Chandeshwar Singh,
All (5 to 9) are resident of village - Ekbalganj Nisarpura, P.S. - Rani
Talab (Kanpa), District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dronacharya

For the Respondent No.1 to 4 : Mr. Krishna Chandra, AC to AG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-03-2016 Heard the learned counsel appearing on behalf of the
petitioner and Mr. Krishna Chandra, learned AC to AG appearing
on behalf of the respondent no. 1 to 4.

In view of the nature of grievances raised on behalf of
the petitioner in the present writ petition with respect to the lands
claimed by him, this Court is of the considered opinion that
instead of keeping the matter pending awaiting for counter-
affidavit on behalf of all the respondents, the interest of justice
shall be sub-served if the petitioner is granted liberty to file a
comprehensive representation with all supporting documents
before the respondent No.4- Special Land Acquisition Officer,
Flood Protection Scheme, Anisabad, Patna-2, 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 petitioner within a period of one month from today with a certified copy of the present order, then the respondent No.4 either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims of the petitioner, by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner as also respondent no. 5 to 9, besides others, if any, at an early date preferably within a period of six months from the date of filing of such representation by the petitioner.

If on consideration of the materials and after hearing the parties, the competent authority of the respondent State comes to a conclusion that claims raised on behalf of the petitioner with respect to the lands in question are admissible to him, then consequential order 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 with respect to the lands in question and this is left to be decided by the competent authority strictly in accordance with law.

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

(Birendra Prasad Verma, J)

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