

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.772 of 2016

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Arjun Prasad Sharma S/o Late Dasarath Sharma, resident of Village-
Shitalpur Sharma Tola, P.O- Shitalpur, P.S.- Dighwara, District- Saran.
..... Petitioner/s

Versus

1. The State of Bihar through the Collector, Saran at Chapara.
2. The Additional Collector, Saran at Chapra.
3. The District Land Acquisition Officer, Saran (Chapra).

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Respondent/s : Mr. Ravindra Kr. Priyadarshi- SC32

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-04-2016

Heard the parties.

2. The grievance of the petitioner in the present writ petition filed under Article 226 of the Constitution of India is that for redressal of his valid grievances, the petitioner filed a representation on 15.06.2012 (Annexure-2) before the respondent District Land Acquisition Officer, Saran, Chapra, but till date neither his valid grievances have been redressed nor representation filed by him has been finally disposed of.

3. In view of the nature of the grievances raised in the present writ petition, this Court is of the opinion that, instead of keeping the matter pending before this Court calling upon the respondents to file their counter affidavit, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent District Land Acquisition Officer, Saran, Chapra. with all supporting documents raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

4. If such a fresh 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 learned District Land Acquisition Officer, Saran, Chapra either himself or any other competent authority 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 all concerned including the petitioner, besides others, if any, at an early date preferably within a period of three months from the date of filing of such representation.

5. If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then consequential orders for grant of such admissible claims shall be issued without any unnecessary further delay.

6. It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and this is left to be decided by the respondent competent authority strictly in accordance with law.

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

(Birendra Prasad Verma, J)

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