

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17389 of 2012

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Shankar Ram, S/O Late Bideshi Ram, R/O Village- Jalalpur, Police Station-
Rupaspur (Danapur), District-Patna

.... Petitioner/s

Versus

1. The State Of Bihar through Commissioner Cum Secretary Department Of Revenue, Government Of Bihar, Patna
2. The Commissioner Cum Secretary Department Of Revenue, Government Of Bihar, Patna
3. The Collector Cum District Magistrate, Patna, Patna Collectorate, Patna
4. District Land Acquisition Officer, Patna, Patna Collectorate Campus, Patna.
5. Janki Devi, wife of Kamla Rajak of village-Jalalpur, P.O.+P.S.-Rupaspur, District-Patna. (expunged vide order dated 5.1.2015 and substituted by her following heirs and legal representatives:-)
 - (i) Deo Krishna Rajak
 - (ii) Ashok Rajak, both sons of Kamla Rajak
 - (iii) Bullu Rajak, son of late Bijendra RajakAll resident of village-Jalalpur, P.O.+P.S.-Rupaspur, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. M.P. Bhartee, Adv.
Mr. S.K. Bhartee, Adv.

For the Respondent nos.1to4 : Mr. Krishna Chandra, AC to AG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

9 17-08-2016 Heard the parties.

The grievance of the petitioner in the present writ petition is that, for redressal of his valid grievances with respect to the lands in question claimed by him, he filed a detailed representation, as contained in Annexure-8 to the writ petition, before the respondent no.4, but till date neither his valid grievances have been redressed nor the representation filed by him has been finally disposed of.

The learned AC to AG appearing on behalf of the official respondents, by referring to the averments made in the counter affidavit filed on behalf of the respondent nos.3 and 4, has

contested the claims raised on behalf of the petitioner in the present writ petition, but he has not been able to show that the representation filed on behalf of the petitioner has finally been disposed of.

In view of the nature of the grievances raised on behalf of the petitioner in the present writ petition, this Court is of the opinion that, instead of keeping the matter pending and asking the learned State counsel to file further counter affidavit, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation with all supporting documents before the respondent no.4, raising all the pleas, which have been raised in the present proceeding. It is ordered accordingly.

If such a fresh 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 respondent no.4 either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner with respect to the lands in question, after giving an opportunity of hearing to all concerned including the respondent no.5 Janki Devi or in case of her death her heirs and legal representatives besides others if any strictly in accordance with law by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such fresh comprehensive representation by the petitioner.

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 and it 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)

Arvind/-

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