

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7254 of 2016

=====

1. Kokil Prasad Gupta @ Kokil Sao, son of Doman Sao
2. Mahadeo Prasad Gupta son of Ram Sundar Sao Both resident of Village Bela, P.S. Tandwa, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar, the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Secretary, Rural Works Department, Government of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The Block Development Officer, Nabinagar, Aurangabad.
5. The Circle Officer, Block Nabinagar, District- Aurangabad.
6. The Executive Engineer, Rural Works Department, Government of Bihar, Aurangabad.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.
Mr. Avinash Shekhar, Adv.
For the Respondent/s : Mr. Md. Nasrul Hoda Khan, SC-18
Mrs. Babita Kumari, AC to SC-18

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-07-2016 Heard the parties.

In view of the nature of the grievances/claims raised on behalf of the petitioners with respect to the lands in question, fully detailed in paragraph 7 of the writ petition, this Court is of the opinion that, instead of keeping the matter pending asking the respondents to file counter affidavit, the interest of justice shall be sub-served, if the petitioners are granted liberty to file a fresh comprehensive representation with all supporting documents before the respondent District Collector, Aurangabad, raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a fresh comprehensive representation is filed by the petitioners within a period of one month from today with a

certified copy of the present order, then the respondent District Collector, Aurangabad 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 petitioners strictly in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to the petitioners and the authorities concerned, besides the private individuals, if any, at an early date, preferably within a period of three months from the date of filing of such fresh comprehensive representation by the petitioners.

If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioners are admissible to them, then the consequential orders 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 in the present writ petition and the same 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/-

U			
---	--	--	--