

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7062 of 2014

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Islam Mian S/o Bihari Mian, resident of village - Mongal, Chapri, Police Station - Sono, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Jamui.
3. The Additional Collector, (Additional District Magistrate), Jamui.
4. The Executive Engineer Minor Irrigation, Division, Jhajha, District - Jamui.
5. The Special Land Requisition Officer, Jamui.
6. The Circle Officer, Block - Sono, District - Jamui.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Respondent/s : Mr. Firoz Ahmad, AC to AAG 12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 23-11-2016

Heard the parties.

2. In view of the nature of grievances/claims raised on behalf of the petitioner in the present writ petition with respect to the lands in question, fully detailed in paragraph 1 of the writ petition itself, this Court is of the opinion that in stead of keeping the matter pending before this Court asking 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 with all supporting documents before the district Magistrate, Jamui raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

3. 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 respondent District Collector, Jamui either himself or any other competent authority of the respondent State, as per his direction,

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 and all concerned authorities besides other private individual, if any, at an early date preferably within a period of three months from the date of filing of such comprehensive representation in the manner indicated above.

4. If on consideration of the materials and after hearing the parties, the competent authority of the State 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 also be issued and lawful dues of the petitioner shall be paid without any unnecessary further delay.

5. 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 competent authority strictly in accordance with law.

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

(Birendra Prasad Verma, J)

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