

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22926 of 2013

- =====
1. Usha Kumari, Wife Of Raj Kumar Bhagat Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 2. Kislay Kumar, Son Of Bindu Bhushan Kumar Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 3. Rakesh Kumar, Son Of Jagdeo Bhagat @ Jagdeo Prasad Chaurasiya Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 4. Anshu Kumari, Daughter Of Mahesh Bhagat Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 5. Md. Junaid Ansari, Son Of Md. Mukhtar Mian Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)
 6. Sabnam Praveen Ansari, Wife Of Muharram Ansari Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)
 7. Md. Hafiz, Son Of Abbas Mian Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)
 8. Sanjay Prasad Rai, Son Of Raghunath Rai Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)
 9. Ram Briksha Bhakta, Son Of Late Suraj Bhagat Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 10. Sanjay Kumar, Son Of Ghamandi Bhagat Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 11. Haresh Kumar, Son Of Yogendra Bhagat Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 12. Sunita Devi, Wife Of Late Bharat Bhagat Resident Of Village Jahangirpur, P.O. Station - Sonapur, District - Saran (Chapra)
 13. Dharmendra Pandey, Son Of Ramnath Pandey Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)
 14. Dilip Kumar, Son Of Ram Prasad Rai Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)
 15. Lal Babu Rai, Son Of Sakaldeep Rai Resident Of Village - Gangajal Tola, P.O. Station - Sonapur, District - Saran (Chapra)

.... Petitioner/s

Versus

1. The Union Of India Through The Chairman, Railway Board, Ministry Of Railway, New Delhi
2. The Additional Member (Staff), Railway Board, Ministry Of Railways, Govt. Of India, New Delhi
3. The General Manager, East Central Railway, Hajipur
4. The Divisional Railway Manager (P), Sonapur, Saran
5. The Chief Administrative Officer (Con), Railway East Central Railway, Mahendrughat, Patna
6. The State Of Bihar Through The Secretary, Revenue And Land Reforms Department, Govt. Of Bihar, Patna
7. The District Magistrate/Collector, Saran At Chapra
8. The District Land Acquisition Officer, Saran At Chapra

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Respondent/s : Mr. Ashok Kumar Keshri, Sr. Advocate
Mr. Shatrughna Pandey
Mr. Pawan Kumar Mishra

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 05-07-2016

Heard the Counsel for the petitioners and Mr. Keshri, assisted by Shatrughna Pandey, for the respondent Railways.

Each of the petitioners herein claims that their lands have been acquired by the respondent Railways for construction of Digha Railway bridge. According to the resolutions of the respondent Railways, they are land losers. Apart from the payment of compensation, they are entitled to employment under the Railways. The respondents having not considered their grievances, the present writ petition is being filed.

Mr. Keshri raises an objection with regard to maintainability of the writ petition. It is stated that any matter seeking such relief ought to have been raised under Section 14 of the Central Administrative Tribunal Act before the Tribunal.

Mr. Mishra, Counsel for the petitioners places an order dated 30.03.2016 passed in C.W.J.C. No. 15830 of 2013 of this Court and submits that since the claim of the petitioners has not at all been addressed by the respondents, the writ application was disposed of permitting the petitioner to make a representation on which the

respondents should examine the grievance and take a decision in accordance with law.

Having heard the parties, the application is disposed of permitting the petitioners to raise their grievance as raised in this application before the respondent General Manager, East Central Railway, Hajipur (respondent no. 3). If any such application is filed within four weeks, it is expected the same shall receive due consideration and disposal in accordance with law by the said respondents as quickly as possible preferably within 04 months from the date of filing of the application/representation along with a copy of the order.

(Kishore Kumar Mandal, J)

Pankaj/-

U			
---	--	--	--