

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10562 of 1996

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1. Bhagwat Yadav, son of Late Raghu Yadav
 - 2(a) Bisheshwar Yadav
 - 2(b) Pappu Yadav, both sons of Late Bhagirath Yadav @ Bhutto Yadav
 3. Ashok Kumar Yadav, son of Sri Bhagirath Yadav
 4. Most. Makhari Devi, wife of Late Latoo Sao
 5. Katun Sahm son of Late Hari Sah
 6. Arjun Sah, son of Late Hari Sah
 7. Basuki Yadav, son of Late Singheshwar Yadav
 - 8(a) Shankar Yadav
 - 8(b) Bijay Yadav
 - 8(c) Ajay Yadav, all sons are deceased of Sardari Yadav
 9. Shivanandan Prasad Yadav, son of Late Singheshwar Yadav
 10. Most. Rajia Devi, wife of Late Kuldeep Yadav
 11. Bajrangi Yadav, son of Late Jodhi Yadav alia Ayodhya Yadav
 12. Ram Swaroop Yadav, son of Late Shital Yadav
 13. Kumar Sarangdhar, son of Late Asharfi Yadav

All residents of village- Kalyanpur, P.S. Munger Mufassil, District
Munger

... .. Petitioners

Versus

1. The State of Bihar, through Revenue Commissioner, Secretariat, Patna
2. Collector of Munger, Munger
3. Additional Collector, Incharge Revenue, Munger

... .. Respondents

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	None

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT

Date : 14-12-2018

Since last several dates when this matter was taken up for hearing, there is no representation on behalf of the petitioners. There was also no representation on behalf of the State but on the request of this Court, Mr. Ajay Kumar Rastogi, learned AAG 10, has provided the assistance in support of the impugned action.

Mr. Siyaram Shahi, learned Counsel appears for the intervenor i.e. rehabilitated persons on the acquired land.



The writ petitioners have questioned the order passed by the Collector, Munger in Revenue Misc. (Land Acquisition) Appeal No. 9/1991-92 whereby the appeal of the petitioners has been dismissed.

This writ petition was admitted for hearing on 13.1.1998 but ever since it was taken for hearing, none has appeared for the petitioners to press the writ petition.

Mr. Rastogi in reference to the order of the Collector which was passed in obedience of the direction of this Court passed in CWJC No. 5426 of 1985 (Annexure-3), a copy of which is impugned at Annexure-9 submits that a plain reading of the order would confirm that most of the land holders have received their compensation except two and in respect of whom the concerned District Land Acquisition Officer has been advised to take necessary steps. He further informs that although no appeal lies against this order but a forum of revision is available under the relevant statute. Mr. Rastogi submits that in the circumstances reflecting from the order of the Collector, the petitioners if so aggrieved by the order have remedy under the Land Acquisition Act and the Rules framed thereunder and if so advised, they can take recourse thereto.



Since there has been no representation on behalf of the petitioners, this Court after taking note of the discussion available in the order passed by the Collector at Annexure 9 as well as the submission made by Mr. Rastogi, learned AAG 10, would dispose of the writ petition reserving liberty for the petitioners to move the appropriate forum as is available to them under the Statute, if so advised.

The writ petition is disposed of with the observations above.

The interlocutory application, if any, stands disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.01.2019
Transmission Date	NA

