

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18543 of 2014

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Bhuneshwar Ram, son of Gauri Shankar Ram, resident of Village- Kumahue, P.O.-
Moresarai, P.S.-Shivsagar, District- Rohtas **Petitioner**

Versus

1. The Dedicated Freight Corridor Corporation of India Limited
2. The Deputy Chief Project Manager, Dedicated Freight Corridor Corporation of India Limited, Project Office at Shyama Kunj, Plot No.122/1 DAFI (Varanasi) Mugalsarai By-pass Naipura, P.S.-Lanka, District- Varanasi, Uttar Pradesh.
3. The State of Bihar through the District Land Acquisition Officer-cum-Competent Authority, Rohtas at Sasaram.
4. The Ministry of Railways through the General Manager, Hazipur Zone, Hazipur, Bihar.
5. The Dy. Director, Establishment (N) II, Railway Board, New Delhi.
6. The Divisional Railway Manager, Mugalsarai, Uttar Pradesh.

.... **Respondents**

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Appearance :

For the Petitioner : Mr.Rajendra Prasad Singh, Senior Advocate
Mr. Siddharth Harsh, Advocate
For the Railways : Mr.Ashok Kumar Keshari, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 14-08-2018

Heard learned senior counsel for the petitioner and
learned counsel for the Railways.

Relying upon the Division bench decision of this
Court in case of **Himanshu Kumar Choubey and others Vs. The
Union of India and others**, reported in **2017(4) PLJR 597** on the
issue of maintainability of the instant proceedings learned Senior
counsel appearing for the petitioner submits that the case is entitled
to be considered by the authorities. In view of various benefits
available under the resolution dated 31.10.2007 being “National
Rehabilitation & Resettlement Policy, 2007” (Annexure F to the



supplementary counter affidavit of respondents no.1 and 2), learned Senior counsel submits that the petitioner will make his application for all the claims arising out of the notification including his claim for preference in the matter of appointment.

In view of the limited prayer made by learned Senior counsel for the petitioner, the writ petition is disposed of with liberty to the petitioner to approach the authorities prescribed under clause 8 of the said resolution dated 31.10.2007 the petitioner should approach the authorities within a period of four weeks from today. In the event, the application is filed, needless to say that the authorities would be obliged to consider the same expeditiously and in accordance with law.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.8.2018
Transmission Date	NA

