

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17771 of 2017

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Murtuza Khan, Son of Late Subedar Khan, residnt of village- Nauhatta East,
Ward No. 6, Block + P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector- cum-District Magistrate, Saharsa.
4. The Sub-Divisional Officer, Saharsa.
5. The Block Development Officer, Nauhatta, District- Saharsa.
6. The Deputy Collector, Land Reforms, Nauhatta, District- Saharsa.
7. The Circle Officer, Nauhatta, District- Saharsa.
8. The District Disaster Management Officer, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Respondent/s : Mr. Mazid Mehboob Khan, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and the
respondent-State.

The present writ application has been filed for a direction to the respondent authorities to make payment of compensation amount under the scheme of the Disaster Management Act, 2005 since the house of the petitioner got completely destroyed in 2015 in earthquake.

However, learned counsel for the petitioner confines is prayer that he may be given liberty to file a representation before the Respondent No.8, the District Disaster Management Officer, Saharsa and he may be directed to dispose of the



representation of the petitioner.

It is submitted by learned counsel for the petitioner that the house of the petitioner got completely destroyed in 2015 due to earthquake, hence, the petitioner submitted a representation for payment of compensation under the scheme of Disaster Management Act, 2005. The representation of the petitioner was forwarded by the Respondent No.5, the Block Development Officer, Nauhatta, to the Respondent No.7, the Circle Officer, Nauhatta, vide Letter No.515-2 dated 16.05.2015, as contained in Annexure-1, whereupon, vide Memo No.605-1, dated 24.05.2015, the Circle Officer, Nauhatta directed the Revenue Karmchari to enquire into the matter and submit a report to that effect. In pursuance to the same, the Revenue Karmchari submitted the report to the Circle Officer, on 28.05.2015, as contained in Annexure-3, stipulating therein that the house of the petitioner has completely been destroyed. Thereafter, the petitioner submitted several representations before the authorities concerned, but despite this fact as well as the report of the Revenue Karmchari, neither the representation of the petitioner has been disposed of nor he has been paid any compensation against his claim. Hence, the present writ application.



It is submitted by learned AC to AAG-12 that the if the petitioner submits fresh representation before the authority concerned with regard to his claim, the authority concern will look into the matter and take a decision on the representation of the petitioner within a reasonable time frame.

In the circumstances, the petitioner is permitted to submit a representation before the Respondent No.8, the District Disaster Management Officer, Saharsa, within a period of three weeks on receipt of a copy of this order, who is expected to consider the grievances of the petitioner within a period of four weeks of filing of the representation, in accordance with law.

The writ application is accordingly disposed of with the observation aforementioned.

(Dinesh Kumar Singh, J)

Ashwini/-

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