IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 3074 of 2020

1. Durga Prasad Mathuri
2. Binod Kumar ….. Petitioners

Versus

1. The State of Jharkhand
2. The Land Reforms Deputy Collector, Dhanbad
3. National Highway Authority of India, through its Chairman, New Delhi
4. The Project Director, National Highway Authority of India, Durgapur, Burdwan (W.B) ….. Respondents

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HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners: Mr. Ramchander Sahu
For the State: Md. Sharabil Ahmad, A.C to S.C (Mines)-I
For NHAI: Ms. Sweety Topno

04/07.12.2020 The case is taken up through Video Conferencing.

The present writ petition has been filed for quashing the general notice as contained in memo No. 1103 dated 19.09.2020 (Annexure-2 to the writ petition) issued by the District Land Acquisition Officer, Dhanbad whereby treating the petitioners to be unwilling Raiyats to receive the awarded compensation, the same has been forwarded to the Court of the learned Principal District & Sessions Judge-cum-Authority under the Right to Fair Compensation and Transparency in Land Acquisition (Rehabilitation and Resettlement) Act, 2013 [hereinafter referred to as 'the Act, 2013'], Hazaribagh and the petitioners have been directed to vacate their respective Raiyati plots being Plot Nos. 166/5 & 166/4 situated at Mouza-Amalkhori.

Learned counsel for the petitioners, at the outset, submits that the petitioners have already been evicted from the aforesaid plots and hence they confine their prayer for quashing of the general notice as contained in memo No. 1103 dated 19.09.2020 (Annexure-2 to the writ petition) issued by the District Land Acquisition Officer, Dhanbad.

Having heard learned counsel for the parties and keeping in view that the awarded amount in question has been referred to the Court of the learned Principal District & Sessions Judge-cum-Authority under the Act, 2013, Hazaribagh on the ground that the petitioners have not shown their interest to

receive the same in time, I am not inclined to entertain the present writ petition which is otherwise plenary in nature. However, the petitioners are at liberty to approach the Court of the learned Principal District & Sessions Judge-cum-Authority under the Act, 2013, Hazaribagh for receiving compensation as per the award.

The present writ petition is accordingly disposed of with the aforesaid liberty.

Satish/- (RAJESH SHANKAR, J)