

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7331 of 2018

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Raj Bali Singh son of Late Sheo Bhajan Singh, resident of Village- Pokharaha Jamalpur, P.O. Atimi, P.S. Nasariganj, Circle Nasariganj, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Divisional Appellate Authority, Baldeo Bhawan, Punaichak, Patna.
3. The Collector, Rohtas at Sasaram.
4. The District Land Acquisition Officer, Rohtas at Sasaram.
5. The Circle Officer, Nasariganj District Rohtas at Sasaram.
- 6.1. Satish Kumar Singh, Son of late Bhagwat Singh, Resident of Village- Pokharaha(Jamalpur), P.O. Atimi, P.S. Nasriganj, District- Rohtas at Sasaram.
- 6.2. Arun Kumar Singh, Son of late Bhagwat Singh, Resident of Village- Pokharaha(Jamalpur), P.O. Atimi, P.S. Nasriganj, District- Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, GP-18

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 08-08-2024

Re: Interlocutory Application 01 of 2018

Heard the parties.

2. At the outset, learned Advocate for the petitioner submits that during the pendency of the writ petition, the respondent no. 6 (Bhagwat Singh) died on 24.06.2021 and, as such, an interlocutory application bearing I.A. No. 01 of 2018 has been filed for substituting the legal heirs of the respondent



no. 6, the particulars of which have been duly mentioned in paragraph no. 2 of the interlocutory application.

3. In view of the averments made in the application, the I.A. No. 01 of 2018 stands allowed.

4. Let the name of the legal heirs of the deceased respondent no. 6 be incorporated in the cause title. Office is directed to make necessary correction in this regard.

Re. : CWJC No. 7331 of 2018

5. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondents especially, respondent no. 3, (The Collector, Rohtas at Sasaram) to refer the case of the petitioner to the competent authority for its proper adjudication under the provisions of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “Act, 2013”), since the order of the respondent no. 4 dated 09.10.2017 is said to be illegal, erroneous and unwarranted.

6. Learned Advocate for the State referring to the averments made in the counter affidavit submitted that till date, no such application has been filed by the petitioner to refer the matter to the competent authority under Section 64 of the Act, 2013, prior to the payment order passed by the respondent no. 4.



7. At this juncture, learned Advocate for the petitioner drew the attention of this Court to the application dated 23.10.2017 filed before the Collector, Rohtas at Sasaram to refer the matter before the competent authority under Section 64 of the Act, 2013.

8. Considering the averments made on behalf of the respective parties and the materials available on record, this Court direct the respondent no. 2 to consider the application of the petitioner marked as Annexure-11 and dispose of the same preferably within a period of eight weeks, from the date of receipt/production of a copy of this order, in accordance with law.

9. The writ petition stands disposed of with the aforesaid direction.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.08.2024.
Transmission Date	NA

