

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10825 of 2023

Harish Chandra Paswan S/o-Jholi Pasawan @ Chhoti Paswan Resident of
Village-Mithauli, P.S.-Rahika, Distirct-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secreary, Land Revenue and Reform Department, Government of Bihar, Patna.
2. The Collector, Madhubani.
3. The District Land Acquisition Officer, Madhubani.
4. The Special Land Acquisition Officer, Darbhanga.
5. Executive Engineer, Western Koshi Canal Division, Darbhanga.
6. The Circle Officer, Rahika, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, S.C.-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-04-2024 Heard the parties.

2. The present petition has been preferred for the:

*issuance a writ in the nature of
Mandamus for direction to the respondent no. 2 to
dispose of the Restorational Appeal Petition filed
by the petitioner on 13.05.2023 in Compensation
Payment Case No. 287/2018-19 for restoration of
the aforesaid compensation payment case to its
original files.*

3. Paragraph nos.- 15 and 16 of the writ petition read
as follows:-

*“15. That it is humbly stated and
submitted that the petitioner again submitted an
application before the respondent no. 2 on
13.10.2018 before the respondent no. 2 enclosing
the order of this Hon'ble Court passed in C.W.J.C*



No. 19606/2014 and the respondent no. 2 initiated Compensation Payment case No. 287/2018-19 (Harish Chandra Paswan Versus the State). The matter was heard on several times but the respondent no. 2 vide order dated 07.02.2023 dismissed the Compensation Payment Case no. 287/2018-19 for want of prosecution.

16. That the petitioner filed Restorational Appeal Petition on 13.05.2023 in Compensation Payment Case no. 287/2018-19 for restoration of the aforesaid case to its original files mentioning therein that on 07.02.2023 the counsel appearing on behalf of the petitioner was suffering from high fever and cough and was admitted in Hospital and therefore he could not appear on that day as a result of which the aforesaid matter was dismissed for non-prosecution.”

4. In view of the aforesaid fact, the respondent no. 2, the Collector, Madhubani is directed to decide the case of the petitioner within a period of three months from the date the copy of the order is produced before him.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

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