

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11769 of 2018

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Ramesh Kumar S/o Ramswaroop Prasad Yadav, Resident of Village-
Kharawan, P.S. Narhat District- Nawada.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The Secretary Department of Railway Rail Bhawan, New Delhi.
3. The General Manager, Eastern Railway 17 Netaji Subhash Road, Havel Street Kolkata West Bengal.
4. The Chief Administrative Officer Construction Eastern Railway 14 Strand Road Kolkata W.B..
5. The Deputy General Manager, Eastern Railway, 17 Netaji Subhash Road, Havel Street, Kolkata.
6. The Divisional Railway, Manager, Eastern Railway Malda W.B..
7. The Deputy Chief Engineer Construction Eastern Railway, Bhagalpur.
8. The State of Bihar through the Principal Secretary Revenue and Land Reform Department.
9. The District Magistrate, Nawada.
10. The Deputy Land Acquisition Officer Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Adv.
For the State	:	Mr. Sajid Salim Khan, SC-25, Sr. Adv.
For the U.O.I.	:	Mr. Awadhesh Kr. Pandey, Sr. C.G.C. Mr. Abhishek Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-01-2025 Learned Counsel for the petitioner, Learned Sr.

Counsel for the State and Learned Counsel for the Union of

India are present.

2. The present writ petitions has been filed for the

following reliefs:-

*(i) For issuance of an
appropriate writ in the nature of
MANDAMUS Commanding and*



directing the respondent authorities to Consider the case of the petitioner for his appointment whose land has been acquired for construction of Tilaiya, Kodarma New Bari lane project appertaining to Khata No. 68 Survey Chhetra No. 38 area 1.00 acre through Land Acquisition Case No. 8/2002-03.

(ii) Further for issuance of direction to the respondent authorities to consider the grievances of the petitioner in the light of Judgment of Hon'ble Apex Court which is the case of State of Uttar Pradesh Vs. Arvind Kumar Shrivastava & others reported in (2015) I.S.C.C. 347 that where a decision has been rendered by a court in rem. The case of the petitioner be also consider in the light of Judgment / order dated 3.10.2018 passed in L.P.A. No. 1981 of 2015 Himanshu Kumar Choubey and others Vs. The Union of India and others.

(iii) Further for issuance of any other order/ orders direction/directions for which petitioner shall be found entitled under the facts and circumstances of the case.



3. Learned Counsel for the Union of India submits that the said policy for providing employment in lieu of acquisition of land has been ended as a policy matter, therefore, he expresses his inability to take any action in this matter.

4. Learned Counsel for the petitioner submits that the petitioner is still entitled to compensation.

5. In this background, Learned Counsel for the petitioners seeks permission to withdraw the present writ petition, seeking liberty to pursue the realization of the compensation amount.

6. In the light of the submissions made by the parties, the writ petition disposed off, granting liberty to the petitioner to do all the needful things for the realization of the compensation amount from the competent authority in accordance with the law, in case the petitioner or his ancestor has not yet received the said amount.

(Dr. Anshuman, J.)

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