

(2013) 01 JH CK 0045

In the Jharkhand High Court

Case No : Writ Petition (C) No. 7107 of 2006

Arun Chandra Mahato and Another

APPELLANT

Vs

The State of Jharkhand and others

RESPONDENT

Date of Decision : 31-01-2013

Acts Referred:

Citation : (2013) 01 JH CK 0045

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : M.M. Sharma, for the Appellant;

Judgement

Aparesh Kumar Singh, J.—The grievance of the petitioners is that compensation for houses and well belonging to them, acquired by the respondents, have not been paid, though compensation for the land acquired has been paid. There are contradictory reports brought on record, one of them being Annexure 2 dated 15th December, 2005 under the signature of Chief Engineer, Subarnrekha Multipurpose Project, Chandil and the report brought on record by the respondents through their supplementary counter affidavit being Annexure-3 which should be read as Annexure-C dated 21st August, 2006 vide Memo No. 217 issued by the Special Land Acquisition Officer, Subarnarekha Project, Chandil also enclosing a list. In order to resolve the controversy, therefore, it appears that the records pertaining to the acquisition of the petitioners' land on the basis of notification contained at Annexure-5 dated 6th July, 2002, is required to be produced by the respondents. According to the petitioners, plot no. 596 belonging to the petitioner in W.P. (C) No. 6658 of 2006 and plot no. 581 belonging to the petitioner in W.P.(C) No. 7107/06 are the subject matter of the present two writ petitions. The respondents would therefore produce the relevant records concerning these petitioners in respect of the acquisition made for the said Village-Murugdih, Thana Chandil (Nimdih), Thana No. 96, District-Saraikella-Kharswan, corresponding to acquisition cases no. 466 and 467 of the relevant years. Accordingly, on the request of the learned counsel for the respondents, list

these cases after three weeks.

2. Let a copy of this order be handed over to the learned counsel for the respondents.