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**(2020) 09 JH CK 0040**  
**In the Jharkhand High Court**  
**Case No : Writ Petition(C) No. 5945 Of 2019**

Narayan Sao

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

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**Date of Decision :** 03-09-2020

**Acts Referred:**

**Citation :** (2020) 09 JH CK 0040

**Hon'ble Judges :** Rajesh Shankar, J

**Bench :** Single Bench

**Advocate :** Devesh Krishna, Devarshi Mandal

**Final Decision :** Disposed Of

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## Judgement

1. The present case is taken up through video conferencing.
2. The present writ petition has been filed for issuance of direction upon the respondents to include the name of the petitioner in the list prepared through Census survey of the village under submergence of North Koyal (Mandal Dam) Project, Jharkhand and to grant package of Rs.15 Lacs to the petitioner. Further prayer has been made for issuance of direction upon the respondents to make payment of compensation along with suitable interest to the petitioner for 2.67 acres of his land situated at village Kutku, Khata No. 42, P.S - Bhandariya, District-Garhwa (in short "the said land"), which was acquired for the purpose of Kutku Reservoir Scheme under North Koyal (Mandal Dam) Project in Palamau District (now in Garhwa District). Some related prayers have also been made such as: issuance of displacement card as well as inclusion of the petitioner's name in the list of the beneficiaries under the Jharkhand Rehabilitation and Resettlement Policy, 2008 & 2012 so as to enable him to get Rs.1.5 Lacs for house construction, Rs.2.25 Lacs for self-employment and Rs.72,000/- for life subsistence as well as to provide government employment to one of the sons of the petitioner under the said policy.
3. Learned counsel for the petitioner submits that the petitioner's father was

under rightful title and possession of the said land which was acquired by the Special Land Acquisition Officer, North Koyal Project, Daltaonganj, Palamau (the respondent no. 8) for the purpose of Kutku reservoir Scheme under North Koyal Project in Palamau District (now in Garhwa District), but no compensation for the said acquisition has been paid to the petitioner. About 634 families of 15 villages were declared displaced under Kutku Reservoir Scheme under the Jharkhand Rehabilitation and Resettlement Policy, 1981. The land and house of the petitioner/his predecessor-in-interest was acquired under the said scheme and as per the rehabilitation notification issued in the year 1973 and onwards, he subsequently got displaced from his land and house and was compelled to settle somewhere else due to which his livelihood also got adversely affected. It is further submitted that under the similar project i.e. Batane Reservoir Project, the displaced persons have been provided Rs.1.5 Lacs for house construction, Rs.2.25 lacs for self-employment and Rs.72,000/- for life subsistence under the Bihar/Jharkhand Rehabilitation and Resettlement Policy of the year 1981, 1988, 2003 and 2012. It is also submitted that the list of the beneficiaries under the North Koyal (Mandal Dam) Project has also been prepared, who would be granted the benefits under the applicable scheme. However, the petitioner and his family members have not been included in the said list. Though the petitioner has made representation before the Mukhiya of the concerned Panchayat upon which the said Mukhiya endorsed that the petitioner is a displaced person and should be granted compensation as well as employment, yet no decision regarding the grievance of the petitioner has been taken. Learned counsel for the petitioner further submits that similarly situated persons have filed writ petitions before this Court being W.P.(C) No. 2415 of 2019 (Bhanu Pratap Singh & Ors. Vs. The State of Jharkhand & Ors.) and W.P.(C) No. 2643 of 2019 (Chandra Prabhakar Singh & Ors. Vs. The State of Jharkhand & Ors.) which were disposed of by this Court vide orders dated 06.01.2020 and 01.06.2020 respectively and hence the present writ petition may also be disposed of in terms with the directions given by this Court in the aforesaid writ petitions.

4. Mr. Devarshi Mandal, learned A.C. to Sr. S.C.-I, accepts the said fact that the prayer made in the present writ petition is similar to the prayers made in W.P.(C) No. 2415 of 2019 and W.P.(C) No. 2643 of 2019.

5. Having heard learned counsel for the parties and keeping in view the nature of the prayer made in the present writ petition, without entering into the merit of the case, the petitioner is given liberty to file fresh representation before the respondent no. 8 along with the relevant documents in support of his claim. On receipt of such representation, the respondent no. 8, after calling for the relevant records and on making proper enquiry as well as on providing due opportunity of hearing to the representative of the petitioner, shall take an appropriate decision in accordance with law in the matter within a reasonable period.

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