

(2019) 01 JH CK 0169

In the Jharkhand High Court

Case No : Writ Petition (C) No. 5855 Of 2018

Rajesh Baraik And Ors

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 07-01-2019

Acts Referred:

Citation : (2019) 01 JH CK 0169

Hon'ble Judges : Sujit Narayan Prasad, J

Bench : Single Bench

Advocate : Manoj Kr. Sinha, Shamim Akhtar

Final Decision : Disposed Of

Judgement

1. This writ petition has been preferred for issuance of a direction upon the respondent-authority to extend the benefit of compensation in lieu of the

land pertaining to Khata No.59, Plot No.879 and 927 of mouza Sambo, P.S. Ratu, Thana No.239, district-Ranchi having an area of 0.37 and 70

decimals total comes to 1.07 acres for which even after the award having been passed under the provision of Land Acquisition Act, 1894 way back

on 28.07.2009, the monetary benefit has not been extended, hence, this writ petition.

2. Learned counsel appearing for the respondent-State has fairly submitted that the matter may be disposed of giving liberty to the petitioner to

approach before the District Land Acquisition Officer, Ranchi i.e. respondent No.6 ventilating his grievance and if that would be done, appropriate

decision shall be taken by the authority without any un-necessary delay.

3. Upon hearing learned counsel for the parties and with the consent thereof and without entering into the claim made in the writ petition, this writ

petition is disposed of giving liberty to the petitioner to file appropriate representation before the District Land Acquisition Officer, Ranchi giving therein the details about the factual aspect along with supporting documents within two weeks from the date of receipt of a copy of this order and the concerned respondent shall take decision on the representation of the petitioner in accordance with law within eight weeks from the date of receipt of such representation.

4. Needless to say that if grievance of the petitioner is found to be genuine, consequential monetary benefit shall be disbursed in his favour within three weeks from the date of such decision. However, if any adverse decision is taken, a reasoned speaking order shall be passed which shall be communicated to the petitioner.

5. With the aforesaid observations, this writ petition stands disposed of.