
(2024) 08 JH CK 0050

In the Jharkhand High Court

Case No : Writ Petition (C) No. 5028 Of 2023

Sanjay Kumar @ Sanjay Kumar Mahto

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 22-08-2024

Acts Referred:

Citation : (2024) 08 JH CK 0050

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Awdhesh Pandey, N.A. Topno,

Final Decision : Disposed Of

Judgement

Sanjay Kumar Dwivedi, J

1. Heard learned counsel appearing for the petitioners and learned counsel appearing for the respondent State.
2. The prayer in the writ petition is made for direction upon the respondents state to pay the compensation with regard to the houses and structures which has been held back for 30 years by the respondents.
3. Learned counsel appearing for the petitioners submits that in identical situation other persons have moved before this Court in W.P. (C.) No.4359 of 2021 which has been disposed of by order dated 06.06.2022 with regard to the same project and direction was issued by the Co-ordinate Bench directing the petitioner to file individual claim/objection along with relevant documents with respect to the payment of compensation for their houses which existed over the land acquired for Bhairwa Reservoir Project in the district of Ramgarh before the Executive Engineer, Water Resources Division (Jal Path Pramandal, Hazaribagh). He further submits that although the predecessors in interest have been paid compensation for acquisition of their respective land, but no payment of compensation was made for the houses and structures and rehabilitation benefit.

4. Learned counsel appearing for the State accepts the said submission.

5. In view of the above, this petition is being disposed of directing the petitioners to file individual claim/objection before the Executive Engineer, Water Resources Division (Jal Path Pramandal, Hazaribagh). On receipt of the said objection, the said authority shall take an appropriate decision with respect to individual claim/objection of the petitioners on the basis of material available on record and prepare a fresh valuation chart for payment of compensation with respect to the houses which existed over the acquired land and rehabilitation benefit. The said authority shall thereafter send the said valuation report to the respondent No.6, who shall determine the compensation to be paid to the petitioners, if they are found entitled and make effective payment to them. The said exercise is to be completed by the concerned respondents within three months from the date of filing of the individual claim/objection by the petitioners.