

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(C) No.2240 of 2020**

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1. Laldhari Kachhap
  2. Subhash Kachhap @ Subhash Oraon
  3. Bhagtu Kachhap @ Bhaktu Oraon
  4. Dhulku Oraon
  5. Ramlal Oraon @ Ramlal Kachhap
  6. Sadho Oraon @ Sadhu Oraon
  7. Dibru Oraon
  8. Arjun Kachhap
  9. Pradeep Kachhap
  10. Kuldeep Kachhap
- ..... Petitioners.

-Versus-

1. The State of Jharkhand
  2. The Deputy Commissioner, Ranchi.
  3. The District Land Acquisition Officer, Ranchi.
  4. The Circle Officer, Namkum, Ranchi.
- ..... Respondents.

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**CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Petitioners : Mr. Chanchal Jain, Advocate  
For the State : Mr. Vijayant Verma, A.C. to AAG-IV

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**Order No.02**

**Date: 10.09.2020**

1. This case is taken up through video conferencing.
2. The present writ petition has been filed for issuance of direction upon the District Land Acquisition Officer, Ranchi-respondent no.3 to make payment of compensation of Rs.63,42,538/- to the petitioners/awardees in lieu of acquisition of land, pertaining to Khata no.9, plot no.102, area 0.13 acre, village Haratu, Thana no.175, Circle Namkum, District Ranchi, in connection with Land Acquisition Case no.68 of 2016-17.
3. Learned counsel for the petitioners submits that the petitioner nos.1, 2 & 3 are sons of Late Billu Oraon, who was grandson of Late Jhari Oraon (Khatiyani raiyat). The petitioner nos.4 to 10 are grandsons of Late Jhari Oraon. It is further submitted that the land pertaining to Khata no.9, plot no.102, area 0.13 acre, village Haratu, Thana no.175, Circle Namkum, District Ranchi was recorded in the name of Late Jhari Oraon. The petitioners are legal heirs of Late Jhari Oraon. It is further submitted that the respondent no.3 issued a declaration dated 15<sup>th</sup> June, 2018 under Section 19(1) of the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (hereinafter to be referred as 'the Act, 2013') for acquisition of

the said land for the purpose of widening and strengthening of Ranchi-Muri Road. It would appear from the said declaration that the names of the petitioners are reflected as interested persons, as they are the heirs of Khatiyani raiyat-Late Jhari Oraon. It is also submitted that a notice dated 25<sup>th</sup> August, 2018 was issued to the petitioners under section 37(2) of the Act, 2013, intimating that they have been identified as interested persons with respect to the compensation amount of Rs.63,42,538/-. They were also intimated vide said letter to produce the relevant records/documents relating to title and ownership of the said land. Learned counsel for the petitioners further submits that the respondent no.3 vide letter no.1885 dated 15<sup>th</sup> December, 2018 requested the respondent no.4 to authenticate the genealogical table of the petitioners, ownership of the land, Khatiyani and register-II and to submit a report in that regard to enable him to pay the compensation to the petitioners. Thereafter, no action has been taken by the respondents for payment of due compensation to the petitioners in lieu of acquisition of the said land.

4. Mr. Vijayant Verma, learned A.C. to AAG-IV, appearing on behalf of the respondents submits that since the present matter requires factual determination, an appropriate decision in this regard will be taken by the respondent no.3 without any undue delay.
5. Having heard learned counsel for the parties and keeping in view the nature of the prayer made in the writ petition, without entering into the merit of the claim of the petitioners as raised in the present writ petition, the respondent no.3 is directed to take an appropriate decision in this regard after making due enquiry and on providing an opportunity of hearing to the petitioners/their representatives and any other concerned person, within a period of three months from the date of receipt/production of a copy of the order.
6. The writ petition is, accordingly, disposed of with the aforesaid direction.

**(Rajesh Shankar, J.)**