

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 5371 of 2019

Subol Mandal @ Subol Chandra Mandal Petitioner
 Versus

1. The State of Jharkhand
2. The State of Jharkhand through the Chief Secretary, Ranchi
3. The Secretary, Department of Revenue, Registration and Land Reforms, Government of Jharkhand, Ranchi
4. The Commissioner, Santhal Pargana Division, Dumka
5. The Deputy Commissioner, Sahibganj
6. The Additional Collector, Sahibganj
7. The District Land Acquisition Officer, Sahibganj
8. The Circle Officer, Sahibganj
9. The Superintendent of Police, Sahibganj... .. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner	: Mr. Gautam Kumar, Advocate
For the Respondents	: Mr. Prakash Chandra Roy, SC (L&C)-I

Order No. 05

Dated: 07.09.2021

The present writ petition is taken up today through Video conferencing.

Though the petitioner has prayed in the writ petition for issuance of direction upon the respondents to pay compensation as per existing market rate in lieu of acquisition of his land for construction of a port at Sahibganj under the project of Inland Waterways Authority of India (IWAI) relating to Land Acquisition Case No. 02 of 2015-16, yet on perusal of the representation preferred by the petitioner before the respondent no. 5 – the Deputy Commissioner, Sahibganj, it appears that the grievance of the petitioner was confined to the extent of providing him the benefits of Rehabilitation and Resettlement Policy [hereinafter referred to as “(R&R) Policy”] applicable for the said acquisition. The petitioner appears to have asserted before the respondent no. 5 that though the compensation amount for acquisition of his land has been paid to him, but the benefit of R&R Policy has not been given treating the petitioner and his married son as “separate entity/family”.

2. It is jointly submitted by the learned counsel for the parties that similar writ petitions being W.P.(C) No. 5316 of 2019, W.P.(C) No. 5373 of 2019 and W.P.(C) No. 5374 of 2019 have already

been disposed of by this Court vide common order dated 09.08.2021. Hence, the present writ petition may also be disposed of in terms with the said order.

3. Having heard the learned counsel for the parties and keeping in view the aforesaid grievance of the petitioner, without entering into the merit of the case, the petitioner is given liberty to prefer fresh representation before the respondent no. 5 on the present issue. On receipt of the said representation, the respondent no. 5, after calling for the relevant records and on providing due opportunity of hearing to the petitioner/his representative, shall take an appropriate informed decision in accordance with law within three months from the date of filing of the said representation.

4. The writ petition is accordingly disposed of with aforesaid liberty and direction.

(Rajesh Shankar, J.)