

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Writ Jurisdiction)
W.P. (C) No. 7067 of 2005

.....
Charusila Trust, Deoghar Petitioner
Versus
The State of Jharkhand & Others Respondents

WITH
W.P. (C) No. 3637 of 2005

.....
Sri Sri Balananda Trust, Deoghar Petitioner
Versus
The State of Jharkhand & Others Respondents

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

.....
For the Petitioners : Mr. Vibhor Mayank, Advocate.
For the Respondent/State : Mr. P.C. Sinha, S.C. (L&C)-I.
For the Jharkhand Rajya
Hindu Dharmik Nyas Parishad : Mr. Amit Sinha, Advocate.

.....
14/15.09.2021.

It appears that pursuant to order of 08.09.2021 passed by this Court, Mr. Amit Sinha, appeared on behalf of Jharkhand Rajya Hindu Dharmik Nyas Parishad and prayed for time to file affidavit in this matter as to whether they are necessary party in this writ petition or not.

As prayed by learned counsel, Mr. Amit Sinha, two weeks' time is granted to file affidavit.

Learned counsel, Mr. Vibhor Mayank has submitted that till date possession of the property has not been taken by the respondent-State and from perusal of the counter affidavit, it appears that respondent has also not whispered about the same, rather has stated that order has been passed to prepare award.

Learned counsel for the petitioners has submitted that in this case Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is applicable, where it has been mentioned that if the physical possession of the land has not been taken, the appropriate Government, if so chooses, shall initiate the proceedings of land acquisition afresh in accordance with provisions of this act.

Considering the same, learned counsel for the State, Mr. P.C. Roy, S.C. (L&C)-I is directed to file supplementary counter affidavit within two weeks.

It appears from the counter affidavit that another writ petition i.e. W.P. (C) No. 131/2005 is pending before this Court.

Office is directed to place these writ petitions along with W.P. (C) No. 131/2005 on 29.09.2021.

(Kailash Prasad Deo, J.)

Sunil/-