

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cont. Case (Civil) No. 519 of 2023

Court On Its Own Motion

..... Petitioner

Versus

1. The State of Jharkhand

2. Mr. Rahul Kumar Sinha, Deputy Commissioner, Ranchi

3. Mrs. Anjana Das, District Land Acquisition Officer, Ranchi

..... Opposite Parties

With

W.P.(C) No. 3041 of 2020

Bhuneshwar Sahu

..... Petitioner

Versus

The State of Jharkhand & Others

..... Respondents

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

For the Petitioner:

Mr. Suraj Kumar

For the O.Ps/Respondents:

Mr. J. F. Toppo, G.A-V

For Respondent Nos.8-10:

Mr. Anil Kr. Sinha

09/01.09.2023

Cont. Case (Civil) No. 519 of 2023

Pursuant to the order dated 28.07.2023, Mr. Rahul Kumar Sinha, Deputy Commissioner, Ranchi and Mrs. Anjana Das, District Land Acquisition Officer, Ranchi are physically present before this Court.

A show cause affidavit dated 30.08.2023 has also been filed on behalf of the District Land Acquisition Officer, Ranchi, the relevant paragraphs of which read as under:

"6. That with regard to the aforesaid order dated 21.03.2023, it is most respectfully stated and submitted that the answering opposite party after perusing the material available in the record, requested the Officer In-charge, Kotwali Police Station, Ranchi to register the FIR vide letter No. 1183 dated 15.07.2023. On receipt of the letter, FIR vide Kotwali P.S. Case No. 226/2023 dated 15.07.2023 has been registered.

7. That it is most respectfully stated and submitted that the private respondent Nos. 8 to 10 of W.P.(C) No. 3041/2020, ABP Case No. 2041/2023, ABP Case No. 2042/2023, ABP Case No. 2043/2023 respectively before the Court of Principal Judicial Commissioner, Ranchi and the same is pending for its adjudication.

8. That it is most respectfully stated and submitted that Certificate Case No. 11 (Misc.) dated 14-15, 09 (Misc.) 14-15 and 10 (Misc.) 14-15 respectively has been expedited by Certificate Officer and warrant has been issued against respondent Nos. 8 to 10. The Certificate Officer vide letter No. 4 dated 05.07.2023 has requested the Senior Superintendent of Police, Ranchi to execute the warrant and the said fact has been communicated to the respondent No. 01 vide letter No. 456 dated 19.07.2023.

9. That it is most respectfully stated and submitted that on verification of the record, it transpired that Ajit Ram and Anr. had filed objection before the deponent as well as before the Deputy Commissioner, Ranchi on 27.10.2015 claiming to be the owner of the land.

10. That it is most respectfully stated and submitted that on perusal of the materials available in the record, it transpired that the petitioner himself instituted T. S. No. 81/2012 in the Court of the Munsif, Ranchi against Ajit Ram and others for a declaration that the petitioner is the purchaser of Plot No. 168, area 78 Decimals of land.

11. That it is stated and most respectfully submitted that the petitioner by suppressing the facts about pendency of T. S. No. 81/2012 to the then respondent No.2, received the compensation amount of Rs.21,31,847.00 for acquisition of 0.25 Acre of land of Plot No. 168.

12. That it is most respectfully stated and submitted that in compliance of order dated 21.03.2023 passed by this Hon'ble Court, it has been decided that payment shall be made to the petitioner, subject to final outcome/adjudication of cases pending either before the Civil Court, Ranchi, this Hon'ble Court or Hon'ble Supreme Court.

13. That it is most respectfully stated and submitted that the bill for making payment of balance compensation amount has been sent to the treasury vide bill No. 24/2023-2024 dated 28.08.2023".

Considering the aforesaid statements made in the show cause affidavit, there is no reason to further proceed with the present suo-motu contempt proceeding initiated against the aforesaid officers.

The contempt proceeding as against them is dropped.

The present contempt application stands disposed of.

W.P.(C) No. 3041 of 2020

Put up this case on 04.10.2023 under the heading 'For Admission'

Satish/-

(RAJESH SHANKAR, J)