

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 3595 of 2020

Dedicated Freight Corridor Corporation of India Limited (DFCCIL) through its General Manager/Electrical Sri Devasish Basu, (aged 48 years), having office in Kolkata, Metro Rail Bhavan 10th Floor 33/1 Jawaharlal Nehru, Kolkata, West Bengal 700071.

... .. **Petitioner**

Versus

1. The State of Jharkhand through its Chief Secretary State of Jharkhand, having its office at Project Bhawan, P.O. & P.S.- Dhurwa, Dist-Ranchi.
2. The Commissioner, North Chotanagpur Division-cum-Arbitrator, Hazaribagh, P.O. & P.S. Hazaribagh, District-Hazaribagh.
3. The Deputy Commissioner, Giridih P.O. & P.S. & District Giridih.
4. The District Land Question Officer Giridih, P.O. & P.S. & District Giridih.
5. L.R. Case No. 18/2017
Shyamu Ram S/o Late Bishun Ram Shyam Ram S.O: Late Bishun Ram, R/O: Village- Badki Sariya, P.O. & P.S.- Sariya, District-Giridih.
6. L.R. Case No. 19/2017
(i) Mahendra Ram
(ii) Anil Ram
(iii) Raju Ram
(iv) Kailash Ram
(v) Gulab Ram
All S/O Late Jitan Ram, All R/O: Village-Badki Sariya, P.O. & P.S.- Sariya, District- Giridih.
7. L.R. Case No. 20/2017
Yashoda Devi, W/o Tejo Mahto, R/O: Village- Badki Sariya, P.O. & P.S.- Sariya, District- Giridih.
8. L.R. Case No. 21/2017
(i) Indar Kumar
(ii) Karan Ram
Both s/o Late Shankar Ram, All R/O: Village- Badki Sariya, P.O. & P.S. Sariya, District- Giridih.
9. L.R. Case No. 22/2017
Umesh Verma @ Umesh Prasad Verma, S/O Late Bhikan Sonar, R/O: Village- Badki Sariya, P.O. & P.S.- Sariya, District- Giridih.
10. L.R. Case No. 23/2017
Gopal Prasad Swarnkar, S/O: Late Bhikan Sonar, R/O: Village- Badki Sariya, P.O. & P.S. Sariya, District-Giridih.
11. L.R. Case No. 24/2017
Radhey Shayam Verma, S/O: Late Bhikan Sonar
R/O: Village- Badki Sariya, P.O. & P.S.- Sariya, District-Giridih.
12. L.R. Case No. 25/2017
Sita Ram Sonar, S/o: Lt. Bhikan Sonar.

- R/O: Village- Badki Sariya, P.O. &P.S. Sariya, District Giridih.
13. L.R. Case No. 26/2017
Ganesh Ram, S/O: Late Bishun Ram
R/O: Village- Badki Sariya, P.O. &P.S. Sariya, District Giridih.
14. L.R. Case No. 27/2017
Birendra Kumar Verma @ Birendra Sonar, S/O: Late Bhikan Sonar,
R/O: Village- Badki Sariya, P.O. &P.S. Sariya, District Giridih.
15. L.R. Case No. 28/2017
Laljeet Mandal, S/O: Late Wakil Manda,
R/O: Village- Badki Sariya, P.O. &P.S. Sariya, District Giridih.
16. L.R. Case No. 29/2017
Ramu Ram, S/O: Late Bishun Ram
Respondent 5 to 16 R/O: Village- Badki Sariya, P.O. &P.S. Sariya,
District Giridih.

... .. **Respondents**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Sunil Kumar, Advocate
For the State : Mr. Ranjan Kumar, AC to Sr. SC-I
For the Respondents : Mr. Ravi Kumar, Advocate
: Mrs. Akata Anand, Advocate

10/09.12.2024

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1. The learned counsel for the parties are present.
2. This interlocutory application is filed for seeking substitution of respondent Nos. 14 and 15 who are said to have been expired on 09.08.2020 and 29.10.2019 respectively.
3. The learned counsel for the respondents has submitted that he has taken instructions from legal heirs and successors of respondent Nos. 14 and 15. He has also submitted that there is one error in connection with the name of son of respondent No. 14. The name of son of respondent No. 14 has been mentioned as 'Hansh Verma' although, his name is 'Harish Verma'.
4. At this, the learned counsel for the petitioner prays for and is permitted to correct the name of the son of respondent No. 14 in paragraph 5 of the interlocutory application in 'red ink' during the course of the day.

5. Mr. Ravi Kumar, Advocate has submitted that he has received *Vakalatnama* on behalf of the legal heirs and successors of respondent Nos. 14 and 15 and he undertakes to file the same within a week.

6. The learned counsel for the respondents has no objection so far as the prayer for substitution is concerned.

7. Considering the aforesaid submission, I.A No. 7319 of 2024 is hereby allowed. The substitution of respondent no. 14 and 15 has been allowed only for this writ petition.

8. The learned counsel for the petitioner is directed to carry out the necessary amendment in the writ petition.

9. Let the *Vakalatnama* on behalf of the legal heirs and successors of respondent Nos. 14 and 15 be filed within a week.

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10. The learned counsel for the petitioner submits that the petitioner was never a party in the arbitral proceedings and after completion of the arbitral proceedings, he has been directed to make certain payments.

11. The learned counsel for the private respondent has disputed the aforesaid submissions.

12. The learned counsel for the State is directed to produce the records in connection with the award passed by District Land Acquisition Officer, Giridih in *L.R. Case No. 18 of 2017 to 29 of 2017*.

13. Post this case on 3rd January, 2025.

(Anubha Rawat Choudhary, J.)

Rakesh/-