

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Writ Jurisdiction)
W.P.(C) No. 2494 of 2008

.....
Sunil Sardar & Others **Petitioners**
Versus

The State of Jharkhand & Ors. **Respondents**

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

.....
For the Petitioners : Mr. Rajeeva Sharma, Sr. Advocate
For the State : Mr. Sreenu Garapati, S.C.-III.

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07/31.08.2021.

Heard, learned senior counsel for the petitioners, Mr. Rajeeva Sharma and learned counsel for the State, Mr. Sreenu Garapati, S.C. III.

The writ petition has been preferred by petitioners namely, Sunil Sardar, Dulu Mandal and Bikash Goswami for quashing order dated 16.01.2008 passed by Deputy Commissioner, Pakur (respondent No.2) in Land Acquisition Case No.06/2007-08, whereby the objection submitted by the petitioners have been rejected regarding acquisition of their lands measuring 14.23 acres situated at mouza – Govindpur No.82 in Pakur Anchal for the purpose of construction of park and playground directing continuation of the impugned land acquisition proceeding.

Learned senior counsel for the petitioners has submitted that with respect to the same land two second appeals vide S. A. Nos.161/2003 and 211/2003 are pending before this Court.

Learned senior counsel for the petitioners has submitted that so far compensation with regard to land of petitioner no.1 Sunil Sardar and petitioner no.2 Dulu Mandal are concerned, those have been satisfied by the Government, but so far the compensation with regard to petitioner no.3 Bikash Goswami is concerned, the same has not been paid by the State and the objection has also been rejected by the Deputy Commissioner.

Learned counsel for the State, Mr. Sreenu Garapati, S.C.-III has submitted that out of two second appeals, Second Appeal No.211/2003 has already dismissed as withdrawn in terms of order dated 17.12.2019 passed by Coordinate Bench of this Court, while Second Appeal No.161/2003 is pending before this Court, as such, whatever relief can be sought for by the petitioners, those can only be adjudicated after disposal of the second appeal.

Learned senior counsel for the petitioners has submitted that liberty may be given to the petitioners to raise this issue after disposal of Second Appeal No.161/2003.

Considering such submissions, the instant writ petition is disposed of with a liberty to the petitioners to raise the contention with regard to compensation after disposal of Second Appeal No.161/2003 pending before this Court.

Accordingly, the instant writ petition is hereby disposed of.

I.A. No.3581/2012 is hereby closed.

(Kailash Prasad Deo, J.)

Jay/-