

**Meena Devi Vs. State of Jharkhand and ors**

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**Court :** Jharkhand

**Decided On :** Jan-10-2013

**Appellant :** Meena Devi

**Respondent :** State of Jharkhand and ors

**Judgement :**

IN THE HIGH COURT OF JHARKHAND AT RANCHI W.P.(C) No. 1457 of 2011  
Meena Devi ..... Petitioner Versus The State of Jharkhand & Others . Respondents  
CORAM: HONBLE MR. JUSTICE P. P. BHATT For the Petitioner :Mr.Subodh Kr.  
Jha, Pranav Kr.Jha,Advocates For the Respondents : S.C. (Mines) -----  
07/10.01.2013 The petitioner by way of present writ petition filed under Article 226  
of the Constitution of India , has prayed for issuance of writ/order for quashing and  
setting aside final order dated 11.07.2010 passed by the Deputy Commissioner,  
Hazaribagh in Record Case No.15 of 2010-11, rejecting the claim of the petitioner  
as raiyat of Khata No.63, Plot No.01 measuring an area 24 decimal, Mauza-Demo  
Tand, Thana No.245 within the district of Hazaribagh. It is further prayed that  
necessary direction may be issued upon the respondent to pay proper and  
adequate compensation for the part of claim, which is required for the purpose of  
widening of N.H.33. Heard learned counsel for the petitioner as well as  
respondent. The learned counsel for the petitioner has submitted that the Deputy  
Commissioner, Hazaribagh has not properly considered the claim of the present  
petitioner while passing the impugned order. Learned counsel appearing for the  
respondent-State has submitted that the petitioner had not produced the relevant  
documents in support of his claim before the Deputy Commissioner, Hazaribagh. It

appears that the petitioner has produced the necessary document along with present petition to justify his claim, which includes the document relating to sale , mutation and showing the possession of the land in question. Since, documents were not produced before the Deputy Commissioner, Hazaribagh, this Court is of the view that the impugned order is required to be set aside and the petitioner is required to be directed to submit all these documents, which are annexed with the petition, before the Deputy Commissioner, Hazaribagh within a period of three weeks from -2- the date of this order. On the receipt of these documents, the Deputy Commissioner, Hazaribagh shall pass appropriate order after affording an opportunity of hearing, if required, to the petitioner and shall decide the claim of the petitioner, in accordance with law, within a period of three months from the date of receipt of the documents. If the claim is found genuine, the compensation should be paid to the petitioner, in accordance with law. With aforesaid observation, this writ petition stands disposed of. (P.P.Bhatt, J.) shanant/saket

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