

Court No. - 21

Case :- WRIT - C No. - 38576 of 2023

Petitioner :- Sughar Lal

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Arvind Singh

Counsel for Respondent :- C.S.C., Nipun Singh, Sunil Kumar Misra

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. Supplementary affidavit filed today is taken on record.
2. The prayer made in the instant petition is for a direction to the respondents to pay a higher sum as compensation in lieu of acquisition of his land. The petitioner is not satisfied with the amount awarded as compensation to him by the Special Land Acquisition Officer by award dated 17.08.2016. He places reliance on an order of the Coordinate Bench dated 03.03.2022 in Writ - C No. 33025 of 2021, whereby this Court in respect of another affected person covered by the same award directed his objection to be considered in terms of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
3. Shri Nipun Singh, learned counsel for the respondents does not dispute that the case of the petitioner is covered by the same award.
4. Accordingly, the instant petition is also stands **disposed of** in terms of the order dated 03.03.2022 in Writ - C No. 33025 of 2021. The operative part of the order which would govern the present petition is as follows:

"8. Be that as it may, it is a case of a poor land owner, whose land was acquired and immediately thereafter he has raised the issue regarding amount of compensation through filing an appeal to the Commissioner, but, in our opinion, the same should be considered as objection filed in terms of Section 64 of the 2013 Act, so that the petitioner is not deprived of assessment of fair compensation on account of acquisition of his land. The aforesaid objection, which was sent by him through registered post to the Commissioner, Kanpur Division, Kanpur and copy whereof is annexed as Annexure-4, be dealt with by Collector concerned in terms of provisions of Section 64 of the 2013 Act. Needful shall be done within a period of three months from the date of receipt of copy of this order.

9. The petition stands allowed in aforesaid terms."

(Donadi Ramesh, J.) (Manoj Kumar Gupta, A.C.J.)

Order Date :- 24.11.2023

Mukesh Pal