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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4480 of 2026

- 1 - Harmeet Singh Saluja S/o Shri Amrik Singh Saluja Aged About 35 Years R/o Punjabi Para, Bemetara, District Bemetara, C. G.
- 2 - Guljeet Kaur Saluja W/o Shri Labh Singh Saluja Aged About 35 Years R/o Ward No. 07, New Ward No. 08, Raipur Road Bemetara, District Bemetara C. G.
- 3 - Balmeet Singh Saluja S/o Shri Malak Singh Saluja Aged About 34 Years R/o Ward No, 07, New Ward No. 08, Raipur Road Bemetara District Bemetara C G.

... Petitioners

versus

- 1 - Union Of India Through The Secretary Ministry Of Road Transport And Highways, Government Of India, New Delhi
- 2 - The Competent Authority, / Land Acquisition Officer, Office Of The Sub Divisional Officer, (Revenue) Bemetara District Bemetara C. G.
- 3 - The Tehsildar Tehsil Bemetara District Bemetara C. G.
- 4 - The Revenue Inspector/Patwari, Bemetara District Bemetara C G.
- 5 - Executive Engineer, N H Division Cum N H D P -P I U, Public Works Department Raipur District Raipur (C.G.)

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. Shakti Raj Sinha, Advocate
For Respondents No.1 & 5	:	Mr. Ramakant Mishra, Deputy Solicitor General
For State/Respondents No.2 to 4	:	Mr. S.S. Choubey, Government Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

03.09.2026

1. At the outset, learned counsel appearing for the petitioners submits that the Executive Engineer, National Highway Division-cum-NHDP-PIU, Public Works Department, Raipur, District Raipur (C.G.), is a necessary and proper party to the present proceedings, having regard to the nature of the relief sought by the petitioners and the role of the said authority in the acquisition proceedings. Accordingly, in order to ensure effective and complete adjudication of the grievance raised in the present petition, the petitioners are permitted to implead the Executive Engineer, National Highway Division-cum-NHDP-PIU, Public Works Department, Raipur, District Raipur (C.G.), as respondent No.5. The said respondent is impleaded as an additional party respondent in the present proceedings. The necessary incorporation in the cause title and in the CIS shall be carried out during the course of the day.
2. By filing the present writ petition, the petitioners have essentially called in question the continued non-disbursement of the land acquisition compensation pertaining to their respective portions of Khasra No.1360, situated at Village Bemetara, Patwari Halka No.27, Tahsil and District Bemetara, which came to be acquired for the construction/widening of National Highway No.30, earlier National Highway No.12A. The petitioners claim to be the

registered purchasers of different portions of the aforesaid land and contend that, notwithstanding the registered sale deeds, consequential mutation in their favour and their specific objections raised during the acquisition proceedings, the compensation amount has not yet been disbursed to them. The grievance of the petitioners, therefore, is confined to a direction to the competent authorities to complete the requisite verification and apportionment of the acquired area and thereafter release the compensation amount to the person or persons found legally entitled thereto in accordance with law. The petitioners have prayed for following reliefs:-

“10.1 Issue an appropriate writ, order or direction directing Respondent No.2/competent Land Acquisition Officer, Bemetara, to complete the verification contemplated under the award dated 11.01.2016 and the subsequent memorandum dated 26.11.2025 by determining the respective portions of the lands of Petitioner Nos. 1 to 3 affected by the acquisition of Khasra No. 1360 for the Bemetara bypass.

10.2 Direct the respondents to consider the registered sale deeds, mutation/revenue records, objections filed during the acquisition proceedings, the report dated 03.11.2015, site inspection report dated 20.11.2015 and all other relevant documents and thereafter determine the persons legally entitled to receive the compensation.

10.3 Direct the respondents to release/disburse the compensation amount of Rs.23,11,245/-, to the extent attributable to the respective acquired portions of the petitioners, in favour of the petitioners in accordance with law, after completing the requisite verification within a time-bound period, preferably within four weeks from the date of receipt of a certified copy of the order passed by this Hon'ble Court.

10.4 Grant any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

3. Mr. Shakti Raj Sinha, learned counsel appearing for the petitioners, submits that the petitioners had purchased their respective portions of Khasra No.1360 by registered sale deeds dated 28.01.2015 and their names were thereafter duly mutated and recorded in the revenue records. It is submitted that the acquisition notification under Section 3A of the National Highways Act, 1956, was published on 30.03.2015, i.e., subsequent to the purchase made by the petitioners, and the petitioners had specifically brought their respective claims of ownership to the notice of the acquisition authorities during the acquisition proceedings. Learned counsel further submits that the communication dated 03.11.2015 issued by the Executive Engineer, National Highway Division/NHDP-PIU, Raipur, as well as the subsequent proceedings clearly demonstrate that the petitioners' claims were within the knowledge of the authorities

even prior to passing of the award dated 11.01.2016. It is further pointed out that the memorandum dated 26.11.2025 issued by the Sub-Divisional Officer, Land Acquisition Branch, Bemetara, itself records the present revenue position of the subject land and acknowledges that the respective portions of Khasra No.1360 are presently recorded in the names of the three petitioners. Learned counsel submits that, therefore, the dispute at this stage essentially relates to identification and apportionment of the affected area and consequential disbursement of the compensation and that the matter has remained pending for a considerable period, despite the acquisition proceedings having commenced as far back as in the year 2015. He accordingly prays that an appropriate direction may be issued to the competent authorities to complete the pending exercise and disburse the compensation amount to the persons found legally entitled thereto within a stipulated period.

4. Mr. Ramakant Mishra, learned Deputy Solicitor General of India, appearing for respondent Nos.1 and 5, submits that he has no objection if an appropriate direction is issued to the competent authority to consider the claims of the petitioners, complete the requisite exercise of verification and apportionment and thereafter disburse the compensation amount in accordance with law within a time-bound period.

5. Mr. S.S. Choubey, learned Government Advocate appearing for the State/respondent Nos.2 to 4, also submits that there is no objection to issuance of an appropriate direction to the concerned competent authority for consideration and disposal of the pending claim of the petitioners and for consequential disbursement of the compensation amount to the person or persons found entitled thereto in accordance with law. It is, however, submitted that the competent authority may be permitted to undertake the necessary verification and determine the respective entitlement and affected area before making payment.
6. I have heard learned counsel for the parties and have perused the material available on record.
7. Having regard to the nature of the grievance raised in the present petition, I am of the considered view that, at this stage, it is not necessary for this Court to enter into or adjudicate upon the disputed questions, if any, relating to title or the ultimate entitlement of any particular person to the compensation amount. The material placed on record, particularly the communication dated 03.11.2015 issued during the acquisition proceedings, indicates that the claims of the petitioners in respect of their respective portions of Khasra No.1360 had been brought to the notice of the acquisition authorities during the course of the proceedings itself. More significantly, the subsequent memorandum dated 26.11.2025 issued by the Sub-Divisional

Officer, Land Acquisition Branch, Bemetara, records the present revenue position of the subject land and specifically notices the respective areas standing in the names of the three petitioners. The said memorandum further notices that, while the total area presently recorded in the names of the petitioners is 0.676 hectare, the area affected by the bypass is 0.530 hectare, and accordingly directs the Revenue Inspector and Patwari to ascertain the exact affected area attributable to each of the present recorded holders. Thus, from the aforesaid official record, it appears that the competent authority has already undertaken the exercise of examining the present revenue position and has itself contemplated further verification for determining the respective affected portions.

8. In the aforesaid factual background, and particularly keeping in view that the acquisition proceedings relate to the year 2015 and the question of disbursement of compensation has remained pending for a considerable length of time, I deem it appropriate to issue a limited direction to the competent authority to bring the matter to its logical conclusion. Accordingly, the competent respondent authority shall consider and decide the claims of the petitioners with regard to the compensation payable in respect of their respective portions of Khasra No.1360, undertake such verification, demarcation and apportionment of the acquired/affected area as may be necessary, and thereafter disburse the compensation amount to the person or persons

found legally entitled thereto, strictly in accordance with law. The entire exercise shall be completed, as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a certified copy of this order. While undertaking the aforesaid exercise, the competent authority shall take into consideration the material already available on record, including the communication dated 03.11.2015, the award dated 11.01.2016 and the memorandum dated 26.11.2025, and shall pass an appropriate reasoned order in accordance with the applicable provisions governing payment and apportionment of compensation.

9. It is made clear that this Court has not expressed any opinion on the merits of the rival claims or on the ultimate entitlement of any party to the compensation amount, and the competent authority shall remain free to take an independent decision in accordance with law.
10. With the aforesaid directions, the present writ petition stands **disposed of**.
11. There shall be no order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge