

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1100 of 2015**

Ram Kishun Verma S/o Bisahu Verma Aged About 70 years Resident Of Village Tifra, P.S. Sirgatti, Tahsil And District Bilaspur (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Naya Raipur, Mantralaya, District Raipur (Chhattisgarh)
2. Collector, Bilaspur, District Bilaspur (Chhattisgarh)
3. Sub Divisional Officer (Rev) Bilaspur, District Bilaspur, Chhattisgarh.
4. Chhattisgarh State Industrial Development Corporation, Through Executive Director, First Floor Udyog Bhawan, Telibandha Raipur, District Raipur (Chhattisgarh)

**---- Respondents**

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|----------------------|---|---------------------------------------------|
| For Petitioners      | : | Shri A.H. Syed, counsel for the petitioner. |
| For Respondent/State | : | Shri Satish Gupta, Govt. Advocate.          |
| For Respondent/CSIDC | : | Shri Kashif Shakeel, Advocate.              |

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**Order On Board**

**28/07/2015**

Heard.

Looking to the nature of controversy, the matter is heard finally with the consent of learned counsel appearing for the parties.

The grievance of the petitioner is that a part of his land admeasuring 0.10 acres out of 0.80 acres situated in Kh. No.154/5 of P.H.No.36, Tifra is begin consumed towards road construction even though there is no acquisition of land in accordance with law.

Learned counsel appearing for respondent -CSIDC, referring to the averments and documents filed along with the return, submits that though initially it was proposed to acquire the petitioner's entire land admeasuring 0.80 acres, later on, the proposal was dropped. However, while constructing road, a small portion of his land admeasuring 0.10 acres is found to be necessary for being acquired for construction of complete road to provide access to the industrial area. He submits that in view of this subsequent developments, the Collector (Land Acquisition), Bilaspur has been requested to acquire

0.10 acres land of the petitioner and pay him compensation. He submits that at present no construction is being raised on petitioner's land and the respondent -CSIDC does not intend to raise any construction till proper acquisition is done and compensation is paid to the petitioner or his consent is obtained.

In view of the aforesaid categorical submission made by learned counsel appearing for respondent -CSIDC, this petition is finally disposed off. It is made clear that if the land of the petitioner is required, the respondent –Land Acquisition Officer shall either proceed to acquire the land and pay compensation before petitioner's land can be used or if the petitioner gives his consent on the assurance payment of compensation in future, then only his land may be utilized for construction.

Sd/-

**(Manindra Mohan Shrivastava)**

**Judge**