

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1377 of 2015

1. Sayed Akbar Ali Hashmi S/o Sayed Mohammad Ali, Aged About 62 Years
R/o Sr. MIG-103, Housing Board, Hatkear, Post-Dhamtari, Tahsil And
District-Dhamtari (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Urban Administration And
Development Department, Mahanadi Bhawan Mantralaya, New Raipur
(Chhattisgarh)
2. The Collector/Land Acquisition Officer, Dhamtari, District Dhamtari
(Chhattisgarh)
3. The Municipal Corporation, Dhamtari, Through The Commissioner,
District-Dhamtari (Chhattisgarh)

---- Respondent

For Petitioner	Shri Gautam Khetrapal, Advocate
For Respondent/State	Shri Shashank Thakur, Govt. Advocate
For Respondent No.3	Shri Dharmesh Shrivastava, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/12/2015

1. Petitioner is alleging construction of road by the Municipal Corporation,
Dhamtari (henceforth 'the Corporation'), on his land bearing khasra
No.446/1 (New No.416), sheet No.19, plot No.82, 84 & 86 area of 9438
sq.ft.

2. According to the petitioner, the Corporation has made RCC road on the subject land without acquiring the same or without making payment of compensation.
3. Shri Shrivastva, learned counsel appearing for the Corporation, would refer to the document Annexure – R3/1 issued by the Corporation informing the petitioner that he should visit the office of the Corporation along with document of title like sale deed, B-1, khasra panchshala, etc. to prove his title so that the matter can be resolved. He would submit that the petitioner has not supplied any document in response to this communication.
4. In view of the document Annexure – R/3-1, the writ petition is disposed of with the observation that in the event the petitioner submits required documents before the Corporation in response to the communication Annexure R3/1, the Corporation shall examine the matter and take appropriate decision for acquisition of land and/or for payment of compensation in accordance with law.
5. Let the decision be taken by the Corporation within a period of six months from the date the petitioner submits the above referred documents along with certified copy of this order.
6. No order as to costs.

Sd/-

Judge

Prashant Kumar Mishra

Gowri