

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1654 of 2015

1. Sandhya Chouhan W/o Rajesh Kumar Chouhan, Aged About 37 Years R/o Village Chantidih, Tahsil And District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Municipal Corporation, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The Commissioner, Municipal Corporation Bilaspur District Bilaspur (Chhattisgarh)
3. Collector, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner.	: Shri R. K. Patel, Advocate.
For Respondent no. 1 and 3.	: Shri Satish Gupta, Govt. Advocate on advance copy.
For Respondent no. 2.	: Ms. Pushpa Diwedi, Advocate on advance copy.

Order On Board

15/09/2015

Heard.

1. In this petition, petitioner’s grievance is that while constructing road, a part of the land owned by the petitioner has also been included. When the petitioner raised an objection and demarcation was carried out by Revenue Inspector and reported the matter to Tahsildar by communication dated 17.08.2015, it was found that a part of the petitioner's land is also included in the public road. Thereafter, petitioner has made a representation to the State Authorities as well as Municipal Authority for working out compensation for used land, but no steps has been taken till date.
2. Ms. Diwedi appears for Corporation and submits that claim of the petitioner shall be examined by the Corporation and if any part of the land owned by the petitioner has been included, appropriate steps shall be taken for payment of suitable compensation to the petitioner in accordance with law.

3. The State Counsel submits that road is constructed by the Municipal Corporation and not by the State Government so the dispute is between the petitioner and the Corporation.
4. Considering the aforesaid submission made by the parties, at this stage, the petition is disposed off with a direction to respondent no. 2 to examine the petitioner's claim and decide the same within a period of 3 months from the date of receipt of copy of this order. If the petitioner's claim is not redressed, the petitioner would be at liberty to take recourse the remedy as may be available to him under the law.
5. Accordingly, the petition is finally disposed off.

Sd/-

Manindra Mohan Shrivastava

Judge

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