

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 423 of 2015

Sonau Ram S/o Banthuram Sahu Aged About 35 years R/o Village Nagjhar, Tahsil
And Police Station Malkharoda, District - Janjgir - Champa (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, New Raipur, (C.G.)
2. The Collector, Janjgir, District Janjgir Champa (C.G.)
3. The Land Acquisition Officer Hasdeo Bango Pariyojna, Sakti, District - Janjgir - Champa (C.G.)
4. Sub - Divisional Officer Hasdeo Dai Tat Nagar, Division No. 4, Nandelibhatha, Sakti, District - Janjgir - Champa (C.G.)

---- Respondents

For Petitioner	:	Shri H.S.Patel, Advocate
For Respondent / State	:	Shri R.K.Gupta, Dy.A.G.

Order On Board

24/07/2015

Learned counsel for the petitioner submits that the petitioner's land has already been used for construction of canal without there being any land acquisition proceedings drawn in that regard. It is submitted that even thereafter, the respondents have not paid any compensation and various correspondences are being made.

2. In the return of the respondents, the fact that the land of the petitioner has been used for construction of canal, has not been substantially disputed. The Patwari report, regarding petitioner's land, has been filed by the respondents along with return as Annexure R/1 which includes the name of the petitioner - Sunau. The Executive Engineer on 27/06/15 has proposed payment of compensation in respect of certain land used for canal in village - Nagjhar for acquisition.

3. This Court, in the case of *Rajkumar Sahu and ors Vs. State of Chhattisgarh and ors.* (WPC No.255/11) considered similar issue where the land was used for

construction of canal but compensation was not paid. The case of the petitioner being similar, I am inclined to dispose off this petition also on the same terms.

4. Accordingly, following order is passed -

The respondents shall invite objections of the petitioners in respect of the compensation, thereafter, compute the compensation and pay the said compensation with solatium and interest thereon in accordance with law, to the landowners, as early as possible, preferably within a period of four months.

The petition is accordingly finally disposed off.

Manindra Mohan Shrivastava
Judge