

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP(C) No. 437 of 2015

- Roopchand Sahu S/o Tikaram Sahu, Caste -Teli, aged about 50 years R/o Village Hasaud, Tahsil Jaijaipur, District Janjgir - Champa, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh, Through The Secretary, Department of Revenue, Mahanadi Bhawan, Capital Complex, Mantralaya, Naya Raipur, Chhattisgarh
2. Collector, District Janjgir-Champa Chhattisgarh.
3. Sub - Divisional Officer cum Land Acquisition Officer, Sakti, District Janjgir - Champa, Chhattisgarh.

---- Respondents

For Petitioners	Shri Kalyan Kalamkar, Advocate
For Respondents/State	Shri Gary Mukhopadhyay, Deputy Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

12/03/2015

1. Learned counsel for the petitioner would submit that petitioner's land has been acquired by the respondent No.3 Land Acquisition Officer, Sakti, District Janjgir-Champa, however, no compensation has been paid to the petitioner.
2. Learned counsel would submit that petitioner had earlier preferred W.P.(C) No. 1190 of 2014 which was disposed of on 02/07/2014 with direction to the respondent No. 3 therein to make payment of compensation to the petitioner or if for any reason the petitioner is not entitled for such payment, he shall

pass an order in writing within three weeks from the date of receipt of representation. Petitioner submitted representation before the Sub Divisional Officer (revenue)-cum-Land Acquisition Officer, Janjgir-Champa, however the land having been acquired by the Sub Divisional Officer (Revenue)-cum-Land Acquisition Officer, Sakti, the officer at Janjgir-Champa is not in a position to decide the representation. He would submit that because of mistake in description of the Land Acquisition Officer in the earlier round of litigation the petitioner is suffering, therefore, the occasion for filing the present writ petition has arisen.

3. Considering the entire fact situation of the case the writ petition is disposed of with a direction that if the petitioner prefers fresh representation before the Sub Divisional Officer (Revenue)-cum-Land Acquisition Officer, Sakti, District Janjgir-Champa, within a period of two weeks from today along with certified copy of this order, the said authority shall decide the representation by reasoned order. If the petitioner is found to entitled to compensation, the same shall be paid to him within a period of two months.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent-authorities shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

JUDGE