

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 188 of 2016

- Smt. Neeta Bhatt W/o Shri Ajay Kumar Bhatt Aged About 35 Years
R/o Village Dhusekela Kharsia District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through, Department Of Revenue,
Mahanadi Bhawan, New Raipur, Dist. Raipur (Chhattisgarh)
2. Collector, Raigarh, District Raigarh (Chhattisgarh)
3. Sub Divisional Magistrate, Kharsia Dist Raigarh (Chhattisgarh)

---- Respondent

For Petitioner	Mr Utkal Pradhan, Advocate
For Respondent /State	Mr. Arun Sao, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/1/2016

Heard.

(2) Learned counsel for the petitioner would submit that the concerned authorities may be directed to decide his representation.

(3) The matter pertains to grant of inadequate compensation by the Land Acquisition Officer, who has acquired the petitioner's land for East Rail Corridor Project. The order dated 28.07.2015 passed by the Additional Collector-cum-Competent Authority would indicate that the compensation is to be determined in accordance with the provisions contained in the Right to Fair Compensation and Transparency in Land

Acquisition Rehabilitation and Resettlement Act, 2013 (in short “the Act, 2013”). By a subsequent order dated 19.08.2015, the award has already been passed and the compensation has been determined.

(4) If the petitioner is aggrieved on account of inadequacy of compensation, the appropriate remedy for him lies in moving an application for enhancement of the award amount under Section 51 of the Act, 2013. No direction for submission of representation or compensation thereof can be issued by this Court *de hors* the statutory scheme under the Act, 2013.

(5) For the foregoing, the writ petition is misconceived. It deserves to be and is dismissed in limine. However, the petitioner would be at liberty to move before the appropriate authority under Section 51 of the Act, 2013.

Sd/-

Judge

(Prashant Kumar Mishra)

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