

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1176 of 2016

Shridhar Kumar Chandrkar S/o Manharan Lal Chandrakar, Aged
About 25 Years Occupation Agriculturist, R/o Mahasamund Tahsil
And District Mahasamund Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Revenue Department Mantralaya,
Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Chhattisgarh State Power Distribution Company Ltd. Through
Executive Engieneer, Mahasamund, District Mahasamund
Chhattisgarh
3. Collector, Mahasamund, District Mahasamund Chhattisgarh
4. Tahsildar, Mahasamund, District Mahasamund Chhattisgarh
5. B.P. Bisai, S/ Parmanand Bisai, Aged About 72 Years R/o Ward
No. 24, Nayapara Police Station Mahasamund District
Mahasamund Chhattisgarh
6. Manjulata Bisai, W/o B.P. Bisai, Aged About 68 Years R/o Ward.
No. 24 Nayapara Police Station Mahasamund, District
Mahasamund Chhattisgarh
7. Manoj Kumar Bisai, S/o B.P. Bisai, Aged About 48 Years R/o
Ward No. 24, Nayapara Police Station Mahasamund District
Mahasamund Chhattisgarh
8. Municipal Council, Mahasamund Through Its Chief Municipal
Officer, Municipal Council Mahasamund District Mahasamund
Chhattisgarh

---- Respondents

Mr. Awadh Tripathi, Advocate for the petitioner/s.
Mr. B. Gop Kumar, Dy. A.G. for the State.
Mr. Anumeh Shrivastava, Advocate for respondent No.2 on advance
copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/05/2016

Heard on admission.

1. The petitioner has filed this petition seeking a direction to

respondents No.2 & 3 to decide petitioner's claim for compensation on the alleged ground of use of his land for construction of road, erection of electricity poll and laying of electric wire.

2. Learned counsel for the petitioner submits that respondents No.5 had approached this Court earlier by filing a writ petition seeking a direction for payment of compensation for use of his land by respondent Electricity Company for the purposes of installation of a transformer.

3. It is the case of the petitioner that even though, there is no direction by the Court in favour of respondent No.5, the order of this Court is being misinterpreted with oblique motive to deprive the petitioner, herein, to get proper compensation in respect of use of their land by the Electricity Company. Therefore, it is prayed, direction be issued to lodge criminal proceedings against respondents No.5 to 7.

4. As is clear from order dated 17.08.2015 passed by this Court in WP(C) No.1017 of 2014, this Court has not decided any lis between the parties. There is no finding recorded with regard to the number or area of the land or either the petitioner or respondent No.5 or anyone else. Respective claims have been made by the petitioner and respondents No.5 to 7 for compensation on alleged contentions that their land has been used by Electricity Company for construction of road, erection of tower, transformer, electric wire etc. Those claims are matters of consideration by the Collector and not by this Court.

5. The claim of the petitioner shall require consideration by the Competent Authority in accordance with law without being influenced by any observation made by this Court in WP(C) No.1017 of 2014.

6. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E