

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1939 of 2015

1. Praveen Chand Surana S/o Late Premchand Surana, Aged About 51 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)
2. Sunil Surana, S/o Late Premchand Surana, Aged About 50 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)
3. Anil Surana, S/o Late Premchand Surana, Aged About 49 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)
4. Arvind Surana, S/o Late Premchand Surana, Aged About 48 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)
5. Smt. Shanti Bai Surana, Wd/o. Late Premchand Surana, Aged About 70 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)
6. Smt. Bhawna Surana, W/o Anil Surana, Aged About 48 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)
7. Prateek Surana, S/o Praveen Chand Surana, Aged About 31 Years R/o Jawahar Chowk, Durg, Tahsil And District Durg (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Irrigation, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. The Collector Bemetara, District Bemetara (Chhattisgarh)
3. The Executive Engineer, Public Works Department, P W D Bridge Construction Division, Having Its Office At Rajnandgaon, District Rajnandgaon (Chhattisgarh)

---- Respondent

For Petitioners	Shri Anand Dadariya, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

15/01/2016

1. The petitioners have preferred this writ petition to restrain the respondent No.3 from raising the construction on bridge and approach road on the petitioners' land situated at Village Lawatara, Tahsil Berla, District Bemetara without acquiring the land or paying compensation in accordance with law.
2. The following has been stated in para 10 and 17 of the return:-

“10. “It is respectfully submitted by the answering respondents that the land on which the high level bridge across Lore Nala on Bhimbhori-Silghat-Lawatara Road is constructing, comprises the land of the petitioners and there is no other alternative land and therefore, to construct the high level bridge across Lore Nala on Bhimbhori-Silghat-Lawatara Road, the land of the petitioners are very much important and required, but, the land of the petitioners would only be acquired after following due process of law and for which the procedure is under progress.

17. That, the contents of the petitioners made in this paragraph of the petition are specifically and vehemently denied. It is respectfully submitted that till date, the answering respondents have not initiated any construction over the land of the petitioners. However, it is respectfully submitted that the land of the petitioners is important and required to construct the aforesaid bridge and there is no other option and therefore, to construct the aforesaid bridge, the land of the petitioners would only be used for construction of the aforesaid bridge only after its acquisition as per the law and for which the answering respondents have initiated the due process.”

3. In view of the submission made in the return, nothing survives for adjudication in the writ petition.
4. Accordingly, the writ petition stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA