

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1021 of 2016

1. Pushpa Bai Agrawal W/o Shri Sagarmal Agrawal, Aged About 52 Years R/o. 26/ 943, Ravi Nagar, Raipur, Tahsil Raipur, District Raipur (Chhattisgarh)
2. Rajkumar Agrawal S/o Shri Sagarmal Agrawal, Aged About 27 Years R/o. 26/943, Ravi Nagar, Raipur, Tahsil Raipur, District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Collector Durg District Durg (Chhattisgarh)
3. Sub Divisional Officer (Revenue) Patan, District Durg (Chhattisgarh)
4. Chief Engineer, Mahanadi Godawari Kacchar Raipur, District Raipur (Chhattisgarh)
5. Executive Engineer, Tandula, Water Resources Division Durg, District Durg (Chhattisgarh)
6. Executive Engineer, Water Resources Division Raipur, District Raipur (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Abhinav Shrivastava, Advocate
For Respondent /State	Mr. Arun Sao, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

20/10/2016

1. Heard.

2. The petitioners have preferred this writ petition seeking a direction to the respondents to initiate proceedings for acquiring their land, which has been used for construction of park, bathing ghat, cemented pathway and embankment.
3. Perusal of the documents filed with the writ petition and with the return would demonstrate that there is some dispute as to whether any area has been used for such construction and if any area has been used, what is the exact extent of such area.
4. Be that as it may, the ends of justice would be served, if the respondent Department, which has undertaken the construction work, is directed to carry out the demarcation of the land to ascertain as to what exact area owned by the petitioners has been used in the construction and thereafter, to proceed for acquisition of land used in such construction.
5. Let the demarcation be carried out within a period of 02 months and thereafter, the acquisition proceedings be initiated without further delay. The entire acquisition proceedings shall be completed within a period of 06 months from the date of demarcation.
6. The writ petition is accordingly disposed of.

Sd/-

Judge

(Prashant Kumar Mishra)