

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2596 of 2016

- Laxman Das S/o Late Shri Ishwar Das, Aged About 66 Years, Caste Panika, R/o Village Baroud, Tahsil And P.S. Gharghoda, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through Its Chairman And Managing Director, Head Office Basant Vihar, Seepat Road, Bilaspur District Bilaspur Chhattisgarh
2. Chief General Manager, S.E.C.L. Raigarh Area, District Raigarh Chhattisgarh
3. Central Bank Of India, Gharghoda, Through Branch Manager, Central Bank Of India, Gharghoda District Raigarh Chhattisgarh
4. Collector, Raigarh, Distirct Raigarh Chhattisgarh
5. Sub Divisional Officer Gharghoda, District Raigarh Chhattisgarh
6. Sagun Kumar S/o Chaitram, R/o Village Baroud, Tahsil And P.S. Gharghoda, Distirct Raigarh Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State
For Respondent Nos.1 & 2

Shri Yogesh Chandra, Advocate
Shri Shashank Thakur, GA
Shri H. B. Agrawal, Senior Adv.
with Shri Pankaj Agrawal, Advocate

Shri Abhijeet Singh, the then SDO
(Revenue), Gharghoda and Shri S.
Jayavardhan, SDM, Gharghoda are
present.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/11/2016

1. This petition under Article 226 of the Constitution of India has been preferred to seek quashment of the order dated 23.03.2015 (Annexure-P-1), based on which the second order has been passed on 07.04.2015 restraining the petitioner from obtaining disbursal of the amount of Rs.21,72,142/-, which was deposited in his account with Central Bank, Gharghoda in pursuance of an award under the Land Acquisition Act, 1894.
2. Shri Abhijeet Singh, the then SDO (Revenue), Gharghoda, who has issued the order, has appeared in person to explain that the order was passed in good-faith to protect the interest of one Sagun Kumar, S/o Shri Chaitram, who claimed to be belonging to the Scheduled Tribe Community and was alleging that the land infact belongs to him. However, subsequently, the said Sagun Kumar did not turn up to press his complaint by producing any further evidence. He would also submit that the second communication dated 07.04.2015 was not intended to be issued in the form in which it has been issued.
3. Learned State counsel would submit that necessary orders will be issued to the Central Bank, Gharghoda for releasing the amount to the petitioner.
4. In view of the above, nothing survives for adjudication in this petition, therefore, the writ petition is disposed of.

Sd/-

JUDGE
PRASHANT KUMAR MISHRA

Nirala