

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 358 of 2016

- Purshottam Ahuja S/o Shri Kishan Chand Ahuja, Age 37 Years R/o Krishna Kunj, Gali 1, Fafadih, Raipur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector (The Ex- Officio Revenue Secretary) Raipur, (Chhattisgarh)
2. Naya Raipur Development Authority, Through Its Chief Executive Officer, 1st Floor, Utility Block, Capital Complex, Sec. 19, Naya Raipur, (Chhattisgarh)
3. Sub Divisional Officer And Land Acquisition Officer, Arang/ Abhanpur, Head Office, Raipur, (Chhattisgarh)

---- Respondent

And

WPC No. 351 Of 2016

- Tarachand Ahuja S/o Shri Kishan Chand Ahuja, Aged About 40 Years R/o Krishna Kunj, Gali 1, Fafadih, Raipur, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through Collector (The Ex- Officio Revenue Secretary) Raipur, (Chhattisgarh)
2. Naya Raipur Development Authority, Through Its Chief Executive Officer, 1st Floor, Utility Block, Capital Complex, Sec. 19, Naya Raipur, (Chhattisgarh)
3. Sub Divisional Officer And Land Acquisition Officer, Arang/ Abhanpur, Head Office, Raipur, (Chhattisgarh)

---- Respondent

And

WPC No. 955 Of 2016

- Smt. Kulwinder Kaur Bhatia W/o Late Shri Hardeep Singh Bhatia, Aged About 55 Years R/o Avenue 144, A- Block, Flat No. 103, New Rajendra Nagar, Raipur (Chhattisgarh), Police Station New Rajendra Nagar, Raipur, Civil And Revenue District Raipur, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue & Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. The Collector, Raipur, District Raipur, (Chhattisgarh)
3. The Sub Divisional Officer Cum Land Acquisition Officer, Abhanpur, District Raipur, (Chhattisgarh)
4. The New Raipur Development Authority, Naya Raipur, Through Its Chief Executive Officer, Naya Raipur, (Chhattisgarh)

---- Respondent

And

WPC No. 2363 Of 2015

1. Shiv Balak Mishra S/o Shri Badri Prasad Mishra, Aged About 71 Years R/o 44, Samta Colony, Sukha Ped Wali Gali, Raipur, Tahsil & District Raipur, (Chhattisgarh) Civil & Revenue District Raipur, (Chhattisgarh)
2. Prafulla Mishra, S/o Shri Shivbalak Mishra, Aged About 41 Years R/o 44, Samta Colony, Sukha Ped Wali Gali, Raipur, Tahsil & District Raipur (Chhattisgarh), Civil & Revenue District Raipur, (Chhattisgarh)
3. Smt. Smita Mishra, W/o Shri Prafulla Mishra, Aged About 39 Years R/o 44, Samta Colony, Sukha Ped Wali Gali, Raipur, Tahsil & District Raipur (Chhattisgarh), Civil & Revenue District Raipur, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Ministry Of Town And Country Planning, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, (Chhattisgarh)

2. The Collector, District Raipur, (Chhattisgarh)
3. Naya Raipur Development Authority, Through Its Chief Executive Officer, Mahanadi Bhawan, Capital Complex, Naya Raipur, (Chhattisgarh)

---- Respondent

For Respective Petitioners : Shri B.P. Sharma, Shri Raja Sharma & Shri Animesh Verma on behalf of Shri Mahesh Mishra, Advocate.

For Respondent/State : Shri UNS Deo, Govt. Advocate.

For Respondent/NRDA : Shri Pravin Das and Shri Harshal Chouhan, Advocates.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

18/07/2016

1. In all the writ petitions, the petitioners' land has been acquired for public purposes for the benefit of Naya Raipur Development Authority (NRDA). The petitioners are aggrieved by inadequacy of the compensation.
2. It is informed by learned State Counsel that under Section 51 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth 'the Act, 2013'), State Level Authority has been constituted to redress the grievances pertaining to amount of compensation, its apportionment etc. The authority has already been constituted vide Gazette Notification dated 28.1.2016. He would submit that process for appointment of concerned officer to function as Presiding Officer of the Authority is underway and

is likely to be completed very soon.

3. In view of the aforesaid statement made by learned State Counsel, all the Writ Petitions are disposed of with a direction to the concerned Collector to refer the matter to the authority as required under Sections 64 and 65 of the Act, 2013 within a period of 6 weeks from today. After reference, the authority shall consider and decide the matter in accordance with law.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve