

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1215 of 2015

- Kamlesh Yadav S/o. Shri Umendram Yadav Aged About 43 Years Resident Of Village Seoni, Tahsil Janjgir, Civil And Revenue District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary : Revenue Department, Mantralaya Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. Collector, Janjgir Champa, District Janjgir Champa (Chhattisgarh)
3. Sub Divisional Officer, (Revenue) (Land Acquisition Officer), Champa, District Janjgir Champa (Chhattisgarh)
4. South Eastern Central Railway, Naila - Janjgir District Janjgir Champa (Chhattisgarh), Through Office Of The D.R.M. At Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	Shri Indrasen Sahu, Advocate
For Respondent/State	Ms. K. Tripti Rao, PL
For Respondent No.4	Shri Ghanshyam Patel, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

07/01/2016

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. This petition under Article 226 of the Constitution of India has been preferred for a direction to the respondent No.3 to pass necessary order for correction in the Revenue Record with respect to the petitioner's land bearing Khasra No.2217, admeasuring 0.30 Acres and to permit the petitioner to deposit the amount of Rs.5,651/- in the Government Treasury,

which was wrongly accepted/received by the petitioner under some bonafide mistake.

3. It appears, the petitioner was granted land acquisition compensation in respect of the above stated land pursuant to an award passed by the Land Acquisition Officer on 29.11.1999. The petitioner later on realized that his land has not been acquired and the compensation has wrongly been determined in his name, therefore, he moved an application before the Land Acquisition Officer-cum- Sub Divisional Officer (Revenue) [for short 'SDO (R)'], Champa, District Janjgir-Champa on 13.09.2013 for correction of the land record on the ground that as a matter of fact, land of one Chhotudas has been acquired by the Railways and not the land belonging to the petitioner. The SDO (R), Champa has already concluded the hearing on the petitioner's application and the matter is closed for orders on 07.11.2013, however, till date, no order has been passed.
4. Learned State counsel would submit that the SDO (R), Champa shall be informed about the necessity of passing an order on the petitioner's application, at the earliest.
5. In view of the above, the writ petition is disposed of with a direction that the SDO (R), Champa, District Janjgir-Champa shall pass necessary orders on the petitioner's application for correction of Revenue Record, at the earliest, preferably within a period of 2 months from the date of submission of certified copy of this order.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA