

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1644 of 2016

- Sahebram Gabel S/o Shri Ramprasad Gabel, Aged About 70 Years
Occupation Agriculturist R/o Village Madanpur Thana & Tahsil
Kharsiya, Civil & Revenue District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department,
Mantralaya, Mahanadi Bhawan, Capital Complex Raipur, District
Raipur Chhattisgarh
2. Collector, Raigarh District Raigarh Chhattisgarh
3. Deputy Chief Engineer, South Eastern Central Railway Raigarh,
District Raigarh Chhattisgarh
4. Land Acquisition Officer, Sub Divisional Officer Revenue Kharsiya,
District Raigarh Chhattisgarh
5. Badrinath S/o Bhogilal, Aged About 42 Years Occupation Agriculturist,
R/o Village Makari, Thana & Tahsil Kharsiya, Civil & Revenue District
Raigarh Chhattisgarh

---- Respondent

For Petitioner	Shri Sunil Sahu, Advocate
For Respondent-State	Shri U.N.S. Deo, GA
For Respondent-SECR	Shri Abhishek Sinha, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/07/2016

1. The respondents have acquired the petitioner's land for a public purpose. Though amount of compensation has been determined, however, according to the petitioner, the same is not adequate, therefore, he has moved an application before the Collector, Raigarh

for referring the matter to the authority constituted under Section 51 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for consideration of his prayer for enhancement of the amount of compensation. It is argued that despite having moved the application on 20.10.2015, the concerned Collector has not referred the matter to the authority.

2. At this stage, learned Government Advocate would inform that by gazette notification dated 28.01.2016, the State Government has constituted the Land Acquisition, Rehabilitation and Resettlement Authority for the purposes of providing speedy disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement. He would submit that the matter is required to be referred to the authority already constituted by the State Government.
3. In view of the statement made, the writ petition is disposed of with a direction to the Collector, Raigarh to refer the petitioner's application within six weeks for adjudication by the Land Acquisition, Rehabilitation and Resettlement Authority established and constituted by notification bearing No.F-4-47/7-1/2015 dated 28.01.2016.
4. The matter stands finally disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala