

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 648 of 2016

1. Kanti Bai W/o Taran Singh, Aged About 55 Years, Owner Of Khasra No. 48/2, Area 096
2. Dau Lal S/o Ludgu Ram, Aged About 38 Years Owner Of Khasra No. 37/2, 38/2, 39/2, 40/2, Area 1.54
3. Sahetaru Satnami S/o Bhojwa, Aged About 62 Years, Owner Of Khasra No. 51/1, Area 1.56
4. Pukal Singh S/o Pawan Singh, Aged About 75 Years, Owner Of Khasra No. 9/2, 42/2, 43/2, 44/2, 9/3, 43/3, 44/3, Area 1.07
5. Taran Singh S/o Neejam Singh, Aged About 65 Years Owner Of Khasra No. 9/1, 42/1, 43/1, 44/1, Area 1.07
6. Raghubar Singh S/o Churawan Singh, Aged About 55 Years, Owner Of Khasra No. 10/4, 34/2, 35/2, 36/2, 37/2, 40/4, Area 0.80
7. Palan Singh S/o Churawan Singh, Aged About 65 Years Owner Of Khasra No. 10/4, 34/2, 35/2, 36/2, 73/3, 40/4, Area 0.80
8. Kamla Bai W/o. Shiva Yadav, Aged About 55 Years Owner Of Khasra No. 10/3, Area 2.50
9. Bhukhan Singh S/o Pawan Singh, Aged About 75 Years, Owner Of Khasra No.9/2, 42/2, 43/2, 44/2, Area 1.07
10. Adawan Singh S/o Puhup Singh, Aged About 75 Years Owner Of Khasra No. 66/1, Area 1.19
11. Suresh Yadav S/o Bhuneshwar, Aged About 55 Years Owner Of Khasra No. 76/2, Area 0.10

All are R/o Village Majgaon, Police Station Mungeli, District Mungeli (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Collector, Mungeli, District Mungeli (Chhattisgarh).
3. Sub Divisional Officer- Cum- Land Acquisition Officer, Mungeli, District Mungeli (Chhattisgarh)

4. Executive Engineer, Water Resources Division, Maniyari, District Mungeli (Chhattisgarh)

---- Respondents

For Petitioners	Shri Sushobhit Singh, Advocate
For Respondent-State	Shri Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

15/12/2016

1. The present writ petition has been preferred seeking a direction to the respondents to follow the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth 'the Act, 2013') and conclude pending proceedings and pass final award to disburse compensation to the petitioners for acquisition of their land, which has submerged under the catchment area of Majgaon Dam Project, Tahsil & District Mungeli.
2. Referring to the document (Annexure-R-1) filed along with the return, it is submitted that the petitioners are ready to negotiate with the concerned department for sale of their land, therefore, necessary direction may be issued to the department for doing the needful at the earliest.
3. Learned State counsel would reiterate the statement made in the return.
4. Perusal of the document (Annexure-R-1) would indicate that the State Government has framed a scheme known as '*Aapsi*

Sahmati Se Bhoomi Kraya Neeti, 2016'. The proposal has been examined under the said Scheme to acquire the land belonging to the petitioners by direct purchase without taking recourse to the proceedings under the Act, 2013 and the proposal is pending consideration before the concerned Collector, who has not passed any final order in the matter.

5. Considering the entire facts situation of the case, it is directed that the Collector (Land Acquisition), Mungeli shall decide the matter and thereafter necessary documentation to execute sale deed and payment of compensation to the petitioners be completed at the earliest, preferably within a period of 4 months from the date of submission of certified copy of this order before the respondent Nos.2 to 4.
6. Accordingly, the writ petition is disposed of with the above direction.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala