

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3215 of 2016**

- Sukhnath S/o Nan Baiga, Aged About 65 Years R/o Village Salka, P.S. & Tahsil Premnagar, District Surajpur Chhattisgarh

---- **Petitioner****Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Revenue Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. The Collector, Surajpur, District Surajpur, (Chhattisgarh).
3. The Land Acquisition Officer, Tap Vidyut Pariyojana Premnagar Head Office Surajpur Distirct Surajpur Chhattisgarh
4. The Effeco Power Company Limited, Branch Office Manendragarh Road, Ambikapur, Distirct Surguja Chhattisgarh

---- **Respondents****And****WPC No. 3216 Of 2016**

- Mahendra Singh S/o Suna Ram, Aged About 56 Years R/o Village Salka, P.S. & Tahsil Premnagar, Distt. Surajpur, (Chhattisgarh)

---- **Petitioner****Vs**

1. State of Chhattisgarh Through The Secretary, Department of Revenue Mahanadi Bhawan, New Raipur, Distt. Raipur, (Chhattisgarh)
2. The Collector, Surajpur, Distt. Surajpur (Chhattisgarh)
3. The Land Acquisition Officer, Tap Vidyut Pariyojana Premnagar, Head Office Surajpur, Distt. Surajpur, (Chhattisgarh)
4. The Effeco Power Company Limited, Branch Office, Manendragarh Road Ambikapur, Distt. Surguja, (Chhattisgarh)

---- **Respondents****And****WPC No. 3218 Of 2016**

- Shiv Kumar S/o Laja Das, Aged About 62 Years R/o Village Salka, P.S. & Tahsil Premnagar, District Surajpur Chhattisgarh

---- **Petitioner**

Vs

1. State of Chhattisgarh Through The Secretary, Department Of Revenue Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. The Collector, Surajpur District Surajpur Chhattisgarh
3. The Land Acquisition Officer, Tap Vidyut Pariyojana Premnagar Head Office Surajpur District Surajpur Chhattisgarh
4. The Effeco Power Company Limited, Branch Office Manendragarh Road, Ambikapur, District Surguja Chhattisgarh

---- **Respondents**

For Petitioners	:	Shri AN Pandey, Advocate
For Respondents-State	:	Shri Ramakant Mishra, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/12/2016

1. In these writ petitions, the petitioners have prayed for a direction to the respondents particularly the respondent Land Acquisition Officer Tap Vidyut Pariyojana Premnagar to disburse the increased amount of compensation within stipulated time.
2. Facts of the case, briefly state, are that for establishment of a 1000 MW Thermal Power Plant at Prem Nagar/Bhaiyathan, lands belonging to the petitioners were acquired and compensation was paid under the Land Acquisition Act, 1894, however, the Chhattisgarh Modern Rehabilitation Policy, 2007 (for short 'the Policy, 2007') of the State Government was modified wherein the land holders were held entitled for increased amount of compensation. Modified policy was notified in the official gazette on

19.03.2010, however, the petitioners have not been paid the increased amount under the Policy, 2007 although the same has already been calculated on 26.11.2011.

3. Considering the fact that there is no dispute about petitioners' entitlement of the increased amount, the writ petitions are disposed of with direction that in the event, the petitioners prefer representations before respondents-The Collector, Surajpur, District Surajpur and The Land Acquisition Officer Tap Vidyut Pariyojana Premnagar within a period of three weeks from today, the said respondents shall decide the representations and pay the increased amount of compensation to the petitioners within a period of six weeks thereafter. The petitioners may also pray for award of interest on the amount and the Collector shall consider the said prayer, however, if no orders are passed by the Collector, Surajpur, the petitioners would be at liberty to move again before this Court.

Sd/-

Judge

Prashant Kumar Mishra

Ashu