

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1067 of 2016

Fulmati Patel W/o Paluram Patel, Caste Agharia, Aged About 54 Years R/o Pussour,
Tahsil Pussour, Civil And Revenue District Raigarh, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, New Mantralaya Bhawan, Raipur, District Raipur, (Chhattisgarh)
2. The Collector, Raigarh, District Raigarh, (Chhattisgarh)
3. The Sub Divisional Officer (Revenue), Raigarh, District Raigarh, (Chhattisgarh)
4. The Tahsildar, Pussour, District Raigarh, (Chhattisgarh)

---- Respondents

Shri Abhishek Saraf, counsel for the petitioner/s.
Shri B. Gopa Kumar, Dy.A.G. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/04/2016

Heard.

The petitioner has approached this Court seeking a direction to respondents to acquire the remaining part of his land comprised in khasra No.77/14 situated in Village – Jhilgitar, P.H.34, Pussour, Tahsil and District – Raigarh. It is the case of the petitioner that the land which has been left over without acquisition, cannot be used by the petitioner because of the activities of the State authorities.

2. Admittedly, the land of the petitioner, though initially included in Section 4 notification, was later on not acquired. A part of the land owned by the petitioner was acquired. The claim of the petitioner is based on an allegation that the petitioner is unable to enjoy the ownership over the land which is in his hand.

3. If that is the case of the petitioner, remedy lies in seeking damages in properly constituted civil proceedings. No direction can be issued by this Court to

respondents to acquire the land of the petitioner.

4. Reserving liberty to the petitioner to take recourse to civil remedy for damages, this petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge