

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1089 of 2017

- Sumit Saurabh S/o Shri Rajesh Shrivastava, Aged About 40 Years R/o 476, Priyadarshini Nagar, Raipur (Chhattisgarh), Civil & Revenue District Raipur.

---- Petitioner

Versus

1. The Raipur Development Authority Through Its Chief Executive Officer, Bhakt Mata Karma Parisar, New Rajendra Nagar, Raipur (Chhattisgarh).
2. The Sub Divisional Officer-Cum- Land Acquisition Officer, Raipur, Chhattisgarh.
3. The Municipal Corporation, Raipur, Through Its Commissioner, Municipal Corporation, Raipur (Chhattisgarh).

---- Respondents

For Petitioner : Shri Samir Oraon, Advocate
For Respondent No. 1 & 3 : Shri Pankaj Agrawal, Advocate
For Respondent No.2 : Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/04/2017

1. Heard.
2. Petitioner's grievance is that though a part of the land of the petitioner has been used for the purpose of construction of road by the Municipal Corporation, he has not been paid any compensation.
3. Learned counsel appearing for the Corporation submits that at this stage, the petition may be disposed off with a direction to examine the petitioner's claim of compensation. He further submits that the matter would be enquired by making an enquiry as to whether the petitioner's land was actually used for the purpose of construction of any road.

4. Considering the response of the Corporation, at the initial stage of hearing, at this stage, it would be appropriate and expedient in the interest of justice to issue a direction to the Corporation to examine the grievance of the petitioner and to take appropriate decision by making necessary enquiry as to whether any part of the land of the petitioner was actually used for construction of road, as alleged by the petitioner. In case, any spot inspection or measurement is to be taken, the petitioner shall be duly informed by issuing notice to him regarding spot inspection and measurement of land. Measurement shall be taken in the presence of the petitioner. This opportunity will be afforded to the petitioner only once. If the Corporation proposes to hold spot inspection/measurement, then the petitioner shall be duly informed by a notice to be served on the petitioner regarding time, date and place of inspection/measurement.
5. The petition is accordingly disposed off.
6. It is expected that the entire proceeding shall be completed within outer limit of three months.

Sd/-

(Manindra Mohan Shrivastava)
Judge