

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No.7181 of 2007

1(a) Smt. Durga Bai Dewangan wife of late Kodu Ram Dewangan, aged about 60 years, R/o. Village Kukada, P.S. Kumhari, District Durg (CG)

1(b) Ajay Kumar Dewangan, son of late Kodu Ram Dewangan, aged about 35 years, R/o. Village Kukada, P.S. Kumhari, District Durg (CG)

2. Phiranta Ram, son of late Samal Das, aged about 75 years,

3. Ashok Kumar son of late Deen Dayal, aged about 38 years,

No.2 and 3 are R/o. Village Kugda, P.H.No.59, Tehsil Kumari, Bhilai, District Durg (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, Through: The Secretary, Department of Town and Country Planning (Nagar Tatha Gram Nivesh), Dau Kalyan Singh Bhawan, Raipur (CG)

2. The Collector, Durg (CG)

3. The Land Acquisition Officer, Durg, District Durg (CG)

4. The Chhattisgarh Housing Board, Through its Executive Engineer, Division Durg (CG)

5. The Sub Divisional Officer, Patan, District Durg (CG)

6. Patwari, P.H.No.59, Village Kugda, District Durg (CG)

---- Respondents

And

WPC No.1661 of 2014

1. Chhabi Kumar Yadav S/o Late Nathu Ram Yadav, aged about 50 years,

2. Ganesh Ram Markandey S/o Daya Ram Markandey, aged about 60 years,

3. Ramkishun Chelak S/o Late Bishru Chelak, aged about 68 years,

4. Uday Markandey S/o Late Brijlal, aged about 39 years,

5. Bhagwat Markandey S/o Itwari, aged about 50 years,

6. Falendra Chandrakar S/o Late Khuman Singh Chandrakar, aged about 53 years,

7. Chinta Das S/o Late Prem Das, aged about 54 years,

8. Sukwaro Bai Wd/o Mohan Sahu, aged about 65 years,

All R/o Village Kugada, Post Urla, P.H.No.59, Tahsil Kumari (Bhilai) now Patan, District Durg (CG)

Versus

1. State of Chhattisgarh, through the Secretary, Department of Town and Country Planning (Nagar tatha Gram Nivesh) Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (CG)

2. The Collector, Collector Building, G.E. Road, Durg (CG)

3. The Land Acquisition Officer, Durg, District Durg (CG)

4. The Chhattisgarh Housing Board, through its Executive Engineer, Division Durg (CG)

5. The Sub Divisional Officer, Patan, District Durg (CG)
 6. Patwari P.H. No.59, Village Kugda, District Durg (CG)

For Petitioners	:	Mr.H.B.Agrawal, Senior Advocate with Mrs.Prabha Sharma, Advocate
For State	:	Mr.Arun Sao, Dy.A.G.
For Respondent No.4- Chhattisgarh Housing Board	:	Mr.Sanjay Patel, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

04/12/2017

1. Mr.H.B.Agrawal, learned Senior Counsel along with Mrs.Prabha Sharma, learned counsel for the petitioners, would submit that the petitioners have raised an objection to the acquisition and also claimed compensation, but neither objection has been decided nor compensation has been paid to them.
2. On the other hand, Mr.Arun Sao, learned Deputy Advocate General for the State, would submit that the land has been recorded in the revenue records as Samilath Chargah, therefore, neither the petitioners are entitled for any compensation nor they can make an application for acquisition.
3. Be that as it may, the Collector, Durg is directed to consider and dispose off the objection of the petitioners within four months weeks from the date of receipt of a copy of this order. The petitioners are at liberty to make a fresh representation, if any.
4. With the aforesaid observation, the writ petitions finally stand

disposed off. No cost(s). 3

Sd/-

(Sanjay K. Agrawal)
Judge

B/-