

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 531 of 2016**

- Pushpa Waliramani, W/o Sajandas Waliramani, aged about 56 years, R/o D-23/4, Devendra Nagar, Raipur, Police Station & Post Devendra Nagar, Civil and Revenue District Raipur (CG)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Urban Administration Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur (CG)
2. Raipur Development Authority through its Chief Executive Office, Raipur, District Raipur, Chhattisgarh
3. Chief Executive Officer, Raipur Development Authority, 1st Floor, RDA Building, Bajrang Market, GE Road, Raipur, District Raipur (CG)

---- Respondent

For Petitioner : Shri Manoj Paranjpe, Advocate.
 For Respondent/State : Shri Shashank Thakur, Govt. Advocate.
 For Respondents 2 & 3 : Shri Pankaj Agrawal, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****27/01/2017**

1. In this petition under Article 226 of the Constitution of India the petitioner has prayed for a direction to the authorities to consider her case for allotment of plot at Indira Gandhi Vyavasayik Parisar, Raipur.
2. The relief has been prayed on submission that the petitioner's land was used for extension of Devendra Nagar Scheme No.32, however, no acquisition proceedings were initiated nor any compensation was

paid to the petitioner for acquisition of her land ad measuring 11663 square feet. It is put forth by the petitioner that alternative plots have not been given to the petitioner though plots were offered and given to the similarly placed persons.

3. On 5.1.2017, this Court had directed the CEO, Raipur Development Authority (RDA) to file affidavit as to the proposal for compensating the petitioner on the present market rate of her property or allotment of plots on the site where other similarly placed persons have been offered plots. This Court also restrained the RDA from creating any third party interest over the vacant plots situated at Indira Gandhi Vyavasayik Parisar, Raipur till the next date of hearing.
4. Shri Pankaj Agrawal, learned counsel appearing for the RDA would submit that the CEO has filed affidavit dated 12.1.2017 stating on solemn affirmation that the petitioner shall be given plot in the same scheme in which other similarly placed persons have been offered plots.
5. Although the affidavit has not stated the name of the scheme but learned counsel for the parties would not dispute that the word scheme in the affidavit would mean Indira Gandhi Vyavasayik Parisar, Pandri, Raipur.
6. In view of the affidavit submitted by the RDA together with observations made above, since the RDA has agreed to give plot to the petitioner in the Indira Gandhi Vyavasayik Parisar, Pandri, Raipur, nothing remains for adjudication in this petition.

7. Let the undertaking given by the RDA be complied with at the earliest, preferably within a period of 3 months from today.
8. With the aforesaid observations/directions, the Writ Petition stands disposed of.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve