

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1996 of 2017**

1. Harishchand Sinha, S/o Tilak Ram, aged about 30 years,
2. Smt. Ghasnin, D/o Halalkhor, aged about 55 years,
3. Ghaso Bai, D/o Halalkhor, aged about 57 years,
4. Chuveli Bai, D/o Halalkhor, aged about 60 years.

All by Caste – Kalar, R/o Village Hahaladdi, District North Bastar,
Kanker (C.G.)

---- Petitioners**Versus**

1. State of Chhattisgarh, Through : The Secretary, Department of Home, Mantralaya, Mahanadi Bhawan, Naya, Raipur, District Raipur (C.G.)
2. Director General of Police, Police Headquarters, Raipur (C.G.)
3. Commandant, Border Security Force, Head Office Mulla, Bhanupratappur, District North Bastar, Kanker (C.G.)
4. Superintendent of Police, Kanker, District North Bastar, Kanker (C.G.)
5. Sub – Divisional Officer (Police), Bhanupratappur, District North Bastar Kanker (C.G.)
6. Collector, North Bastar Kanker (C.G.)
7. Sub- Divisional Officer (Rev.), Bhanupratappur, District North Bastar Kanker (C.G.)
8. Tahsildar, Tahsil Durgukondal, District North Bastar, Kanker (C.G.)

---- Respondents

For Petitioners : Mr. P.P. Sahu, Advocate.

For Respondents No. 1,2 & 4 to 8

: Mr. P.K. Bhaduri, Govt. Advocate

For Respondent No. 3 : Mr. N.K. Vyas, Assistant Solicitor
General

Shri Taman Singh Sonwani, Collector, Uttar Bastar
Kanker and Dr. Yogendra Pal Singh, Commandant,
B.S.F. are also present in person.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****23/08/2017**

Heard.

(1) Learned counsel for the petitioners submits that the petitioners' land has been taken forcefully by the State authorities for the use of BSF camp and neither proceeding has been initiated for acquiring the petitioners' land nor compensation has been paid to them.

(2) Learned counsel for the State and the Central Government would submit that the attempts are being made for acquiring the land by mutual consent and if it is not possible then the petitioners' land would be acquired by initiating proceeding in accordance with the provisions of Land Acquisition Rehabilitation and Re-settlement Act, 2013 (henceforth "Act, 2013")

(3) In view of above submissions made by learned counsel appearing for the respondents, it is directed that the State Authorities shall make all the endeavour either to pay compensation to the petitioners by mutual agreement or to proceed for acquiring the petitioners' land in accordance with the provisions of Act, 2013 expeditiously preferably within a period of one year from the date of receipt of certified copy of this order.

(4) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

