

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition No. 1566 of 2006**

Chhabilal Patel, son of Late Dharam Singh Patel, aged about 80 years, Agriculturist, resident of Arang, District Raipur (C.G.)

---- **Petitioner****Versus**

1. State of Chhattisgarh, through the Secretary, Ministry of Revenue, D.K.S. Bhawan, Raipur.
2. The Collector, Raipur.
3. The Sub Divisional Officer (Land Acquisition Officer), Raipur
4. Anand Kumar, son of Gorelal.
5. Nirmal Kumar, son of Gorelal.
6. Suraj Kumar, son of Gorelal.
7. Gorelal, son of Maniklal.

All respondents No. 4 to 7 are resident of Arang, District Raipur (C.G.)

---- **Respondents**


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For Petitioner: Mr. B.P. Sharma & Shri Hari Agrawal, Advocate.  
 For State : Mr. Aditya Sharma, Panel Lawyer.  
 For Respondents No. 4 to 7 :  
 Mr. Anmol Sharma, Advocate.

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****07/11/2017**

(1) The Sub Divisional Officer, Raipur by its order dated 25.4.2005, has directed the compensation to be paid to respondents No. 4 to 7 holding that they are recorded Bhumiswami of the subject land and, thereafter, compensation has been paid to respondents No. 4 to 7.

(2) Learned counsel for the petitioner would submit that amount of compensation be directed to be deposited in the Government Treasury by virtue of Section 30 of the Land Acquisition Act, 1894 as there is dispute between the parties regarding apportionment. He submits that the order impugned is bad and unsustainable in law.

(3) I have heard learned counsel appearing for the parties and perused the order impugned with utmost circumspection.

(4) It is stated at the bar that the amount in question has already been disbursed to the respondents No. 4 to 7 holding that they are recorded Bhumiswami of the land in dispute, therefore, no writ can be issued to deposit back the amount in the Government treasury.

(5) The petitioner is at liberty to file appropriate proceedings before the jurisdictional Civil Court for declaring his title over the subject land as the Sub Divisional Officer has directed the amount to be disbursed to the respondents No. 4 to 7 finding them to be recorded owner of the subject land. I do not find any illegality in the order impugned warranting interference by this Court in the instant writ petition.

(6) Accordingly, the writ petition fails and is hereby dismissed subjected to above-stated liberty. No cost(s).

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-

