

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 171 of 2017**

1. Shiv Prasad S/o Sarju, Aged About 68 Years R/o Mahuadih, Thana Shankargarh, District Balrampur Ramanujganj, (Chhattisgarh)
2. Israil, S/o Jaan Mohammad, Aged About 56 Years R/o Mahuadih, Thana Shankargarh, District Balrampur Ramanujganj (Chhattisgarh)

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

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mantralaya, Mahanadi Bhavan, New Raipur, District Raipur (Chhattisgarh)
2. Collector, Balrampur, District Balrampur Ramanujganj, (Chhattisgarh)
3. Executive Engineer, Water Resources Department, Balrampur, District Balrampur Ramanujganj, (Chhattisgarh)
4. Sub Divisional Officer, Revenue, Balrampur, District Balrampur Ramanujganj, (Chhattisgarh)
5. Tahsildar, Shankargarh, District Balrampur Ramanujganj (Chhattisgarh)

**---- Respondent**


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For Petitioners : Shri CJK Rao, Advocate.  
 For Respondent/State : Shri Ramakant Mishra, Deputy AG.

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****25/01/2017**

1. Learned counsel for the petitioners would submit that despite the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act, 2013')

having come into force on 1.1.2014, the respondents are continuing with the acquisition proceedings under the Land Acquisition Act, 1894 (for short 'the Act, 1894').

2. Learned State Counsel would fairly submit that in view of the provisions contained under the Act, 2013, the land acquisition proceeding is required to be concluded under the provisions of the Act, 2013. He would submit that the respondent/authorities shall be informed about the requirement of the provisions of law contained in the Act, 2013 so that the award can be passed under the Act, 2013 and not under the repealed Act.
3. Let the award be passed under the Act, 2013 within a period of 4 months from today.
4. In view of the statement made, the writ petition stands disposed of with the above direction.

Sd/-  
**Judge**  
(Prashant Kumar Mishra)

Barve