

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 200 of 2017

- Dr. Jagdish Singh S/o Late Shri Randhir Singh, Aged About 64 Years R/o Main Road Baradwar, District Janjgir Champa Chhattisgarh 9424166795

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Public Works Department Mahanadi Bhawan, Mantralaya New Raipur, District Raipur (Chhattisgarh)
2. Engineer In Chief, P. W. D./ National Highway, Sirpur Bhawan, Near Kali Mandir, Via Governor House Road, Raipur, (Chhattisgarh) Pin Code 492002
3. Collector, Janjgir Champa, District Janjgir Champa, (Chhattisgarh)
4. Sub Divisional Officer (Revenue), Sakti District Janjgir Champa, (Chhattisgarh)
5. Executive Engineer, National Highway Korba Road, Champa, District Janjgir Champa, (Chhattisgarh)
6. Tahsildar, Baradwar, District Janjgir Champa, (Chhattisgarh)

---- Respondents

For Petitioner	Shri Sushobhit Singh, Advocate
For Respondent-State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/01/2017

1. Learned counsel for the petitioner would submit that the petitioner's land is likely to be used for widening of national highway crossing through Naya Baradwar, Tahsil Sakti, District Bilaspur, however, the respondents have not acquired the land and the petitioner is likely to be ousted without payment of any compensation. He would further submit that the Authorities have reached the petitioner's land on 23.01.2017 and have marked the area owned by the petitioner for widening of the road.
2. Learned State counsel would submit that the subject area shall be demarcated and if the petitioner's land is found to be falling within the area to be widened, appropriate proceedings under the National Highways Act, 1956 or under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall be drawn for acquisition of the land.
3. Considering the statement made by the learned State counsel, the writ petition is disposed of with a direction that the appropriate authorities, who have undertaken the widening of road over the subject area, shall demarcate the area in the presence of the petitioner and if on such demarcation it is found that the land belonging to the petitioner is likely to be used for widening of road, appropriate proceedings for acquiring the land shall be initiated and completed at the earliest, preferably within a

period of 6 months. If the petitioner's land is sought to be acquired, he shall be paid adequate compensation in accordance with law.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala