

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1798 of 2014

1. Chainlal Sahu S/o Shri Ram Prasad Sahu Aged About 48 Years
2. Arjun Nishad S/o Shri Kheduram Nishad Aged About 63 Years
3. Babulal Patel S/o Shri Gayaram Patel Aged About 65 Years,

All R/o Village Bhakhara, Tah Kurud, P.H.No.19, Distt Dhamtari, CG

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, Dist Raipur, CG
2. The Collector Dhamtari, Dist Dhamtari, CG
3. The Executive Engineer Public Works Department, Dhamtari Division, Distt Dhamtari, CG
4. The Sub Division Officer- Cum-Land Acquisition Officer, Kurud, Dist Dhamtari, CG

---- Respondents

For Petitioners	:	Shri Shishir Dixit, Advocate
For State	:	Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/05/2017

1. Heard.
2. At the outset it is submitted that during the pendency of the land acquisition proceeding, in so far as the subject land of this petition is concerned, have been dropped, therefore, the main grievance of the petitioners no longer survives. However, learned counsel for the petitioners submits that earlier some digging activities were carried out over the land of the petitioners, due to which the petitioners are unable to carryout their agriculture activity unless the land are restored to their previous condition.

3. Considering that the land acquisition proceeding against the land of the petitioner have been dropped but compensation has been claimed by the petitioners for alleged change in the nature of land, at this stage, it would be appropriate to dispose off the petition giving liberty to approach the respondent and to satisfy regarding losses suffered by the petitioners. Such grievance, if raised, shall be examined and the authority shall decide the application. In case the petitioners are aggrieved, remedy would be available to file civil suit for damages.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Kamde