

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 870 of 2017

1. Ramprasad S/o Nansai, Aged About 50 Years R/o Village Tara, Tahsil Premnagar, District Surajpur (Chhattisgarh).
2. Lawango Bai Wd/o Nansai, Aged About 70 Years R/o Village Tara, Tahsil Premnagar, District Surajpur (Chhattisgarh).
3. Takeshwar S/o Balram, Aged About 20 Years R/o Village Tara, Tahsil Premnagar, District Surajpur (Chhattisgarh).
4. Shanti Bai W/o Balram, Aged About 45 Years R/o Village Tara, Tahsil Premnagar, District Surajpur (Chhattisgarh).

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Industries, Mahanadi Bhawan Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Managing Director, Chhattisgarh Minerals Development Corporation Limited, Raipur District Raipur (Chhattisgarh).
3. The Collector, Surajpur, Tahsil & District Surajpur, Chhattisgarh.
4. The Sub Divisional Officer Cum Land Acquisition Officer, Surajpur District Surajpur, Chhattisgarh.

---- Respondents

Shri A.K.Prasad, counsel for the petitioner/s.
Shri R.K.Gupta, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/04/2017

Heard.

2. The petitioners, land oustees, have filed this petition with a limited prayer that their land have been acquired under the land acquisition proceedings and though award has been passed way back on 12.8.2011, the respondents, in implementation of award, have not paid compensation to the petitioners till date.

It is categorically submitted that the petitioners have not filed any petition seeking reference under Section 18 of the Land Acquisition Act and they are only seeking implementation of the award in acceptance thereof.

3. Once the land of the petitioners have been acquired and award has been passed in their favour, the same is required to be implemented. The compensation which is payable to each of the petitioners under the award is also required to be paid to them at the earliest and they could not be kept deprived of compensation for indefinite period.

4. Accordingly, respondent No.3 is directed to take appropriate steps in the matter and also make payment of compensation at the earliest. If the amount is not paid to the petitioners within a period of 3 months from the date of receipt of copy of this order, the Collector/respondent No.3 shall pass specific speaking order, stating reasons for such non payment and it would be open for the petitioners to challenge such action.

5. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
JUDGE