

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1238 of 2017

Ramlal Patel S/o Late Shri Sukhram Patel, Aged About 65 Years R/o Village Charbhatha, Post Dongitarai, Tehsil & District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. National Highways Authorities Of India Limited Through The Project Director, V I P Estate, Shankar Nagar, Raipur (Chhattisgarh)
2. Additional Commissioner, Bilaspur Division Bilaspur (Chhattisgarh)
3. Collector, Raigarh, District Raigarh (Chhattisgarh).
4. Sub Divisional Officer (Revenue)-Cum- Land Acquisition Officer, Raigarh, District Raigarh (Chhattisgarh).

---- Respondents

Shri Dhani Ram Patel, counsel for the petitioner/s.
Shri Rahim Ubwani, counsel for respondent No.1.
Shri Sangharsh Pandey, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/05/2017

The petitioner has filed this petition aggrieved by determination of amount of compensation by submitting that though petitioner's land acquired for construction of National Highway was yielding two crops, compensation has been paid by treating the land as yielding single crop.

There is a self contained legislative mechanism for determination of such kind of dispute under the National Highways Act, 1956 by seeking reference to the Arbitrator under Section 3G (5) of the Act of 1956. The petitioner has an efficacious remedy. Moreover, the determination would involve enquiry into facts regarding the nature and quality of the land. Therefore, for this reason, I am inclined to hold that the petitioner, instead of approaching this Court, should take remedial measures for seeking compensation before the appropriate authority.

With the aforesaid liberty, this petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti