

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 292 of 2015

Pradeep Shukla S/o Late Bhawani Shanker Shukla Aged About 50 Years R/o Village : & Post - Kunra, Tahsil And Police Station- Nawagarh, Civil And Revenue District- Bebetara, Chhattisgarh

---- Petitioner

Versus

1. Anil Kumar Dubey, Aged About 54 Years Working As Superintending Engineer, Shivnath Madal, Durg, Police Station- Mohan Nagar, Civil And Revenue District- Durg, Chhattisgarh
2. Pramod Shandilya Aged About 52 Years Working As Land Acquisition Officer-Cum-Sub Divisional Officer (Revenue), Bemetara, Police Station And District Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vaibhav Goverdhan, Advocate
For Respondent No.1	:	Shri Sunil Tripathi, Advocate
For Respondent No.2	:	Shri Akhilesh Kumar, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2017

Heard.

1. At the outset, learned counsel for the parties jointly submit that the award has been passed on 18.9.2017 and under the award, an amount of Rs.85,80,000/- has been paid to the petitioner.
2. Learned counsel for the petitioner, however, submits that the calculation of the amount is not correct in Law. He submits that the petitioner was entitled to an amount of Rs.94,38,000/- along with solatium payable to him under Section 30 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short "*the Act of*

2013') along with proper interest on account of delay.

3. Having considered the submissions made by learned counsel for the parties and the nature and extent of direction issued by this Court in the writ petition, this Court is of the opinion that the respondents, though belatedly, have now complied with the direction of the Court by paying compensation to the petitioner. This Court did not quantify the amount of the compensation. The petitioner's challenge to the quantum of various amounts would essentially be a matter for consideration in a separately constituted petition and not in the contempt petition. Having been satisfied that the land of the petitioner has been acquired under the Law, award has been passed and compensation has been paid, the rule is discharged and the contempt petition is closed though with liberty to the petitioner to claim amount more than what has been awarded under the Law.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge