

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3193 of 2016**

1. Mahendra Singh Thakur, S/o late Shri Sudan Singh Thakur, aged 49 years, R/o B-4, Vasundhara Nagar, Changora Bhata, Raipur, District Raipur (CG)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through the Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Naya Raipur (CG)
2. Collector, District Raipur (CG)
3. Sub Divisional Officer (Revenue), Tahsil & District Raipur (CG)
4. Executive Engineer, PWD, Division No.1, Katora Talab, Raipur, District Raipur (CG)
5. Sub Divisional Officer, Maintenance, Sub Division No.1, PWD Sagaun Bangalow, Civil Lines, Raipur, Tahsil & District Raipur (CG)

---- Respondent

For Petitioner : Shri B.S. Rajput, Advocate.

For Respondent/State : Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****24/10/2018 :**

1. The petitioner has prayed for issuance of restrain order against the respondents from proceeding ahead to construct the road on his land without making acquisition as also to pay compensation in respect of land ad-measuring 0.69 hectare at Gudiyari, Raipur.

2. It appears the respondents are widening the existing road and in that process, some land belonging to the petitioner, if any, may be in the process of being used.
3. Learned counsel for the State would submit that if the petitioner's land is used for widening of road, he is definitely entitled for compensation, but for that, the demarcation of the area would be necessary.
4. Considering the entire facts situation of the case, the Writ Petition is disposed of with direction that the Collector, Land Acquisition, Raipur shall get the subject land demarcated through SDO(R), Raipur and if in the said demarcation, it is found that the petitioner's land is used for widening of the road, appropriate proceedings for acquiring the same be initiated at the earliest and the petitioner be paid admissible amount of compensation in accordance with law. However, there shall be no stay on widening of the road.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve