

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 451 of 2012

1. Wasal Khan S/o Raj Khan aged about 59 years
2. Abdul Sattar Khan S/o Raj Khan aged about 57 years
3. Abdul Maksud Khan S/o Raj Khan aged about 39 years
4. Abdul Hamid Khan S/o Raj Khan aged about 38 years
5. Abdul Samsool Khan S/o Raj Khan aged about 36 years

All R/o Village Gauband, P.H. No.29, Tahsil Takhatpur Distt. Bilaspur, C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh through Secretary, Revenue/Water Resource, Mantralaya, D.K.S. Bhawan, Raipur, District Raipur (C.G.)
2. The Collector, Bilaspur, District Bilaspur (C.G.)
3. The Sub Divisional Officer/ Land Acquisition Officer (Revenue), Kota Distt. Bilaspur CG
4. The Executive Engineer, Division Kharang Water Resources, Bilaspur, District Bilaspur, C.G.
5. The Sub Divisional Officer, Water Resources Department, Sub Division Bilaspur, District Bilaspur, C.G.

---- Respondents

For Petitioners

Shri A. S. Rajput, Advocate

For Respondent-State

Shri Shashank Thakur, GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

24/10/2018

1. Petitioners have preferred this writ petition for direction to the respondents not to construct irrigation canal on their land and if acquisition is necessary, then the respondent authorities may be directed to allot government land to the petitioners in the nearby area.
2. Learned State counsel would submit that the petitioners' land has already been acquired and the amount of compensation has been deposited with the Land Acquisition Officer, which the petitioners can withdraw.
3. In view of the above, both the reliefs claimed in the writ petition cannot be allowed in favour of the petitioners for the reason that the writ Court is not entitled to direct the Government to construct the canal in a particular way nor it has the authority to set aside the award and direct allotment of land to the petitioners when the amount of compensation has already been assessed and deposited with the Land Acquisition Officer for payment to the petitioners.
4. The writ petition is dismissed.

Sd/-
Prashant Kumar Mishra
Judge