

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 899 of 2014**

1. Rathram Sahu (Rathore) S/o Shri Sevakram Rathore, Aged About 69 Years R/o Village Sarhar, P.S. Baradwar, Tahsil Shakti, Civil And Revenue Distt. Janjgir Champa C.G.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resource Department, Mantralaya, New Raipur, PS Rakhi, Civil & Revenue Dist. Raipur C.G., Chhattisgarh
2. The Collector Janjgir - Champa , PS Tehsil, Revenue & Civil Distt. Janjgir - Champa C.G.
3. Land Acquisition Officer/Sub Divisional Officer (Revenue), Hasdeo Project, Janjgir, P.S. And Tahsil Janjgir Revenue And Distt. Janjgir Champa C.G.
4. Executive Engineer, Minimata Bango Canal Division No. 6, Nadeli Bhatha, Shakti, Tehsil & PS Shakti, Civil And Revenue Distt. Janjgir - Champa C.G.

---- Respondent

For Petitioner
For Respondent/State

Shri Rupesh Shrivastava, Advocate
Shri Shashank Thakur, Govt. Advocate

Order On Board**By****Prashant Kumar Mishra, J.****20/08/2018**

1. Petitioner is aggrieved by use of his land for construction of canal under the Minimata Hasdeo Bango project without acquiring the same in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act, 2013').
2. Learned State counsel would draw attention of the Court to the contents of the return and the document Annexure – R/1 to

highlight that by inadvertence petitioner's land was not acquired in the land acquisition proceedings, however, on realization that the petitioner's land being effected in the project area the same has to be acquired in accordance with law, a supplementary notification has been issued on 26-11-2014 vide Annexure – R/1 and thus, the grievance raised in the writ petition has been remedied.

3. There is no mention in the return as to the present status of the land acquisition proceeding nor the petitioner is aware about the outcome of the proceedings drawn after issuance of the notification Annexure – R/1, therefore, it is appropriate that the writ petition is disposed of with the following directions :

- The competent authority under the Act, 2013, who has issued the notification Annexure – R/1, shall complete the land acquisition proceedings, if not already completed, within a period of six month from the date the petitioner serves a certified copy of this order before the Collector, Janjgir-Champa.
- If the proceedings have already been completed and the petitioner still feels aggrieved by the inadequacy of the compensation, he may move before the appropriate authority under the Act, 2013 for enhancement of the amount of compensation. In such eventuality, the competent authority shall do the needful expeditiously.

4. Accordingly, the writ petition stands disposed off with the above-stated observations.

Sd/-

Judge
Prashant Kumar Mishra

Gowri