

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 174 of 2018

Madhoram Satnami S/o Late Shri Bhoko Satnami Aged About 72 Years
R/o Mittumuda, Raigarh, District Raigarh, Chhattisgarh, District : Raigarh,
Chhattisgarh

---- Petitioner

Versus

Vinod Kumar Pandey Commissioner Municipal Corporation, Raigarh,
District Raigarh, Chhattisgarh (Contemnor), District : Raigarh,
Chhattisgarh

---- Respondent

For petitioner : Mr. V. K. Pandey, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

14/03/2018

1. Learned counsel for the petitioner submits that the order passed by this Court on 06-04-2016 in WPC No. 1319/2015 has not been complied with till date in as much as despite report of demarcation prepared by the Revenue Inspector on 23-09-2017 and forwarded to Tahsildar, Raigarh, followed by representation made by the petitioner to the Corporation, on 16-11-2017, till date no steps have been initiated towards the payment of compensation.

2. From the documents on record, it appears that after the order was passed by this Court, demarcation was carried out and the land belonging to the petitioner was found having been used for construction of road. In view of the said report, as per the direction issued earlier on 06-04-2016 in the writ petition, the corporation is required to consider and decide the claim in accordance with the law. The petitioner has already made representation to the Commissioner of the Corporation. Even though, no time limit has been fixed in the order dated 06-04-2016, the petitioner claimed for compensation has to be duly considered within a reasonable time. Considering that almost four months have elapsed, it would be proper to dispose off this contempt petition at this stage with the observation that if petitioner's claim for compensation is not

considered and suitable steps have not been taken within next three months from the date of receipt of copy of this order, which is now being passed, this Court may treat inaction as willful disobedience of the order of the Court and initiate contempt proceedings against the respondent authority of the Corporation.

Sd/-

(Manindra Mohan Shrivastava)

Judge