

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 988 of 2018**

Prakash Das, S/o Shri Chhotu Das, aged about 40 years, R/o Narayanpur,
Post Narayanpur, Thana Nandghat, District Bemetara (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Secretary, Department of Revenue,
Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, District Raipur (C.G.)
2. Sub-Divisional Officer (Revenue) cum Special Land Acquisition Officer,
Bemetara, District Bemetara (C.G.)

---- Respondents

For Petitioner : Shri H.B. Agrawal, Senior Advocate with
Smt. Prabha Sharma, Advocate.

For Respondents /State : Shri Arun Sao, Dy. Advocate General.

Order On Board

18/04/2018

(1) The petitioner is a Kotwar of Village Narayanpur. The land allotted to him has been acquired and the compensation has been determined in favour of the petitioner, but when the petitioner claimed compensation, it was not disbursed to him by Sub Divisional Officer (Revenue) on the ground that the acquired land is service land.

(2) I have heard learned counsel appearing for the parties.

(3) The petitioner is not entitled for compensation for the service land in view of the provisions contained in 183 (2) of the Chhattisgarh Land Revenue Code, 1959 (henceforth "Code, 1959" and in view of the order passed by this Court in W.P. (C) No. 442 of 2016 decided on 20.09.2017 (Manish Agrawal Vs. State of Chhattisgarh

& others).

(4) Be that as it may, the petitioner is at liberty to make fresh application before the concerned Tahsildar for allotment of service land and, in turn, the Tahsildar shall take a decision on the petitioner's application for allotment of the land in accordance with law expeditiously.

(5) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-