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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.275 of 2017**

Martand Singh S/o Late Shri Rambahadur Singh, Aged About 60 Years R/o. North Ring Road, Near Government School, Bauripara, Police Station Kotwali, Ambikapur, Distt. Surguja Chhattisgarh, Chhattisgarh ---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhawan, New Raipur Chhattisgarh, Chhattisgarh
2. Secretary, Public Works Department, Mahanadi Bhawan, New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Managing Director, Chhattisgarh Road Development Corporation, 3rd Floor, Sirpur Bhawan Campus, Behind Akashwani, Civil Lines, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. Collector, Distt. Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
5. Commissioner, Municipal Corporation, Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
6. Sub Divisional Officer Rev., Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
7. Executive Engineer, Department Of Public Works, Ambikapur, Distt. Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

--- Respondents**AND****Writ Petition (C) No.48 of 2018**

Martand Singh S/o Late Shri Rambahadur Singh Aged About 60 Years R/o North Ring Road , Near Government School, Bauripara , Police Station Kotwali Ambikapur District Surguja Chhattisgarh. , Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Revenue Mahanadi Bhavan Mantralaya Naya Raipur District Raipur Chhattisgarh. , Chhattisgarh
2. Executive Engineer , R. K. Verma Chhattisgarh Sadak Vikash Nigam Near Astha Marriage Hall , Ambikapur District Surguja

Chhattisgarh. , District : Surguja (Ambikapur), Chhattisgarh

3. Managing Director , Chhattisgarh Road Development Corporation
3 Rd Floor Sirpur Bhawan Campus Behind Akashwani, Civil
Lines Raipur Chhattisgarh. , District : Raipur, Chhattisgarh
4. Collector, District Surguja Chhattisgarh.
5. Commissioner , Municipal Corporation Ambikapur District Surguja
Chhattisgarh.
6. Sub Divisional Officer R Ambikapur District Surguja Chhattisgarh.
7. Contractor , Sandeep Agrawal Chhotu R/o Purana Bus Stand ,
Shankar Lodge , Surjpur District Surajpur Chhattisgarh. ,
Chhattisgarh
8. M / S Kishan And Company Korba Near Astha Marriage Hall,
Village Sargawa , Post Office Sakalo Ambikapur District Surguja
Chhattisgarh. , District : Surguja (Ambikapur), Chhattisgarh

--- Respondents

For Petitioner : Mr. H.B. Agrawal, Sr. Advocate with Mr.
Pankaj Agrawal and Mr. Ali Asgar, Advocates
For State/Respondents: Mr. B.Gopa Kumar, Dy.A.G. and Mr.Bhupendra
Singh, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

17/01/2018

(1) Learned counsel appearing for the petitioner would submit that the petitioner's land has been acquired by the respondent authorities, but in lieu of that, compensation has not been paid to him and it has been held by the respondent authorities that he is not entitled for compensation, against which these writ petitions have been filed by the petitioner for appropriate direction to the respondent authorities for payment of compensation.

(2) Learned counsel appearing for the respective respondents would submit that the petitioner preferred civil suit being Civil Suit No.54A/2011 before the trial Court, the said civil suit has already been dismissed by the trial Court on 16.03.2015 and it has been held that the petitioner is not title-holder or possession-holder over the suit land, therefore, the instant writ petitions filed by the petitioner deserve to be

dismissed.

(3) I have heard learned counsel for the parties and perused the record with utmost circumspection.

(4) It is not in dispute that the petitioner's father namely late Rambahadur Singh preferred civil suit being Civil Suit No.54A/2011 before the trial Court for declaration of title and permanent injunction, but during the pendency of suit, the petitioner's father expired and petitioner was impleaded as plaintiff being the legal representative of original plaintiff late Rambahadur Singh. The said civil suit has been dismissed by the trial Court on merits on 16.03.2015 and it has been held by the trial Court that the petitioner has failed to establish title over the suit land, but the said judgment and decree has not been challenged further by the petitioner successfully before the higher court and that has become final.

(5) After hearing learned counsel for the parties and taking into consideration the fact that the petitioner has failed to establish his title over the suit land and as such the petitioner is not entitled for any relief. Accordingly, the writ petition is dismissed. No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-