

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 771 of 2017

1. Smt. Neeta Bhatt W/o Ajay Kumar Bhatt, Aged About 36 Years R/o Village Dusekela, Kharsiya, District Raigarh, Chhattisgarh

---- Petitioner

Versus

1. Smt. Shammi Abidi Collector, Raigarh, Chandra Nagar Colony, Kelo Vihar, District Raigarh, Chhattisgarh.
2. H. Harish, Sub Divisional Magistrate, Kharsiya, District Raigarh, Chhattisgarh

---- Respondent

For Petitioner
For Respondents

Ms. Aditi Singhvi, Advocate
Shri Adiraj Surana, Advocate

Order On Board

By

Prashant Kumar Mishra, J.

23/03/2018

- 1) At the very outset, learned counsel appearing for the respondents/ contemnors would submit that the petitioner's land having been acquired for construction of East Rail Corridor Project under the Indian Railways, the issue concerning the enhancement of amount of compensation is required to be settled by the Arbitrator in view of Section 20F (6) of the Railways Act, 1989, as amended by the Railways (Amendment) Act, 2008, therefore, the appropriate remedy for the petitioner is to move before the authorities of the Railways for referring the matter to the Arbitrator.

- 2) In view of submission made, the contempt petition stands disposed of. Since the Railways was not a party in the writ petition, no direction can be issued to the Railways in this contempt petition, however, it is expected of the concerned authority of the South East Central Railway (SECR) that whenever the application is moved by the applicant seeking enhancement of the compensation, the same shall be referred to the Arbitrator in view of the provisions under Section 20F (6) of the Railways Act, 1989, as amended by the Railways (Amendment) Act, 2008, at the earliest.

Sd/-

Judge

Prashant Kumar Mishra

Gowri