

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2341 of 2018**

- Smt. Neelam Thakur W/o Shri Janaklal Thakur Aged 36 Years (Approx) Residence Care Of Shri Bhal Singh Margiya, Prayagnagar Plot No. 06, Dhanora Near A.P.S., Post Office Hanoda, Police Chuaki-Padmanabhapur Durg, Thana And District- Durg, Chhattisgarh - 491001

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through The Collector, Durg, Chhattisgarh
2. S.D.O. And Land Acquisition Officer Durg, Tahsil And District- Durg, Chhattisgarh

---- Respondent

For Petitioner	Mr. KR Loniya, Advocate
For Respondent/State	Mr. Shashank Thakur, Govt. Advocate

Order On Board By**Hon'ble Mr. Prashant Kumar Mishra, J.****20/8/2018**

1. Heard.
2. The main relief claimed in para 10.2 of the writ petition is for issuance of a direction to the National Highway Authorities to construct National Highway No.53 in such manner, wherein, there would be no need for acquiring the petitioner's land.
3. The prayer is made on the basis that sufficient vacant agricultural land is available adjoining to the petitioner's house,

therefore, if the alignment of the road is changed/diverted, the petitioner's building may not be required to be acquired.

4. I am afraid, the writ Court cannot issue such direction for changing the alignment of the road, which has been undertaken for construction after preparation of the Detailed Project Report (DPR) and other surveys performed by the experts. The only right of the petitioner is to get fair and adequate compensation in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in the eventuality, his building or land is used for making such construction of National Highway No.53 from Raipur to Anjora.
5. The writ petition is dismissed subject, however, to the above observations.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna