

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2629 of 2018

- Jaikishan Jakhodia S/o Shri Purshottam Jakhodia Aged About 61 Years R/o 184, Samta Colony, Raipur, District Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Raipur
2. Chief Engineer Public Works Department, National Highway Division, Raipur, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Competent Authority (Land Acquisition) Raipur
4. Union Of India Through The Secretary, Ministry Of Road, Transport And Highways, New Delhi

---- Respondent

For Petitioner	Shri Harshal Chouhan, Advocate
For Respondent-State	Shri Avinash Singh, PL
For Respondent No.2 & 4	Shri B. Gopa Kumar, ASG

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

09/10/2018

1. Petitioner's land has been acquired for construction of road by the National Highways Authorities. However, while calculating the amount of compensation, the Land Acquisition Officer has used multiplier of 1 instead of 2, which is infact applicable when acquisition is for construction of road by the NHAI.
2. By order dated 18.07.2018 passed in WPC No.1961/2018 (**Mahadev Gond vs State of Chhattisgarh and others**), the

Division Bench has held that multiplier of 2 will be required to be used for calculation of compensation to the land holder, if the acquisition is made for the purposes of the Central Government, which includes construction of national highways.

3. Learned ASG appearing for the respondent Nos.2 & 4 would submit that the National Highway Division is likely to move an application for review of the order dated 18.07.2018 passed in WPC No.1961/2018.
4. Considering the order passed by the Division Bench in the matter of **Mahadev Gond** (supra), the writ petition is disposed of with direction that while calculating the compensation payable to the petitioner, multiplier of 2 shall be used. However, if the Division Bench reviews its order passed in **Mahadev Gond** (supra), the respondents would be at liberty to apply for review of this order also.
5. The writ petition stands disposed of.

Sd/-
Prashant Kumar Mishra
Judge