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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2540 of 2018**

1. M/s Natural Collections (L.L.P.) A Company Incorporated Under The Provisions Of Companies Act And Registered Pursuant To Sec. 58(1) Of The L.L.P. Act Having Its Office At 61, Shahid Smarak Parisar, Rajbandha Maidan, G.E. Road, Raipur, Through Its Director Shri Prem Raj Jain S/o Shri Agya Ram, Aged About 60 Years, 61 Shahid Smarak Parisar, G.E. Road, Raipur, District Raipur Chhattisgarh
2. Prem Raj Jain S/o Shri Agya Ram Aged About 60 Years 61 Shahid Smarak Parisar, G.E. Road, Raipur, District Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Town And Country Planning Department, Mantralaya, Naya Raipur Chhattisgarh
2. The Collector, Raipur, District Raipur Chhattisgarh.
3. The Raipur Development Authority Through Its Chief Executive Officer, Bhakt Mata Karma Parisar, New Rajendra Nagar, Raipur.
4. The Sub Divisional Cum Land Acquisition Officer, Raipur Chhattisgarh

---- Respondent

For Petitioner	Mr. Keshav Dewangan, Advocate
For Respondent /State	Mr. AS Kachhwaha, Additional Advocate General

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****17/9/2018**

1. Heard.
2. In the petitioners' earlier writ petition bearing No. WPC No.1425

of 2015, a grievance was raised that upon construction of road by the Raipur Development Authority over their land included in the Kamal Vihar Project, the petitioners should be compensated rather than allotting the land in lieu thereof.

3. This Court disposed of the aforesaid writ petition on 6.11.2017 directing the respondents to decide the petitioners' representation.
4. The RDA has decided the representation on 7.2.2018 vide Annexure P/10 offering compensation of Rs.44,29,860/-.
5. Now, the petitioners would contend that the amount has been calculated on the basis of the market rate of the land as in the year 2011-12, whereas, the road has been constructed over their land sometime in the year 2014-15, therefore, the petitioners are entitled for compensation under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
6. The petitioners have themselves moved and filed one document Annexure P/5 containing the report of the Revenue Inspector, Raipur-2, Tehsil Raipur, District Raipur (CG) dated 20.5.2014 mentioning on the basis of spot inspection on 16.1.2014, that the road has already been constructed over the petitioners' land in question. Thus, the road which was already constructed on 16.1.2014 cannot be constructed overnight.
7. It appears, the road was constructed in the housing development of Kamal Vihar Colony sometime in the year 2012-

13. Therefore, statement made to the contrary on being factually incorrect deserves to be and is hereby repelled.

8. The writ petition sans substance deserves to be and is hereby dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge

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