

HIGH COURT OF CHHATTISGARH, BILASPUR
WA No. 729 of 2018

- Smt. Neelam Thakur W/o Shri Janaklal Thakur Aged About 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 (C.G.)

---- Appellant

Versus

1. The State of Chhattisgarh Through The Collector, Durg, (C.G.)
2. S.D.O. and Land Acquisition Officer Durg, Tahsil and District- Durg (C.G.)

---- Respondents

For Appellant	:	Shri K. R. Lonia, Advocate
For Respondents/State	:	Shri Prasun Bhaduri, Government Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board

Per, Ajay Kumar Tripathi, Chief Justice

04.10.2018

1. Heard Counsel for the Appellant, Counsel for the Respondents-State.
2. We do not find any infirmity in the view taken by the learned Single Judge in paragraph 4 of the order dated 20.08.2018 passed in the writ application against which appeal has been preferred. The learned Single Judge had this to say :

“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.”

3. In view of the above, the appeal has no merit. It is dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge