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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2927 of 2018**

1. Amit Barwad (Kasar) S/o Late Shri Sharad Chand Barwad (Kasar) Aged About 38 Years R/o Ward No. 20, College Road, Mahavir Colony, Mahasamund, Tahsil And District Mahasamund Chhattisgarh
2. Sumit Barwad (Kasar) S/o Late Shri Sharad Chand Barwad (Kasar) Aged About 30 Years R/o Ward No. 20, College Road, Mahavir Colony, Mahasamund, Tahsil And District Mahasamund Chhattisgarh
3. Smt. Shilpa Barwad (Kasar) D/o Late Shri Sharad Chand Barwad (Kasar) Aged About 35 Years After Marriage, Smt. Shilpa Verma, W/o Shri Nitin Verma, R/o Flat No. 302, Kumar Pebbal Park, Near J S P M College, Handewadi Road, Pune Maharashtra
4. Smt. Kamini Barwad (Kasar) Wd/o Late Shri Sharad Chand Barwad (Kasar), R/o Ward No.20, College Road, Mahavir Colony, Mahasamund, Tahsil and District Mahasamund Chhattisgarh.

---- Petitioner**Versus**

1. Union Of India Through The Secretary, Ministry Of Road, Transport And Highways, Government Of India, Transport Bhawan, New Delhi
2. State Of Chhattisgarh Through The Secretary, Department of Revenue, New Mantralaya, New Raipur Chhattisgarh
3. National Highway Authority of India Through Its Project Director, National Highway No. 06 (New National Highway No.53), Project Implementation Unit, House No. A- 7, VIP Estate Shankar Nagar, Raipur Chhattisgarh
4. The Project Director DGM(T), National Highway Authority , Rest Area (Ghodari), National Highway No.06 (National Highway No.53), Project Implementation Unit- Dhamtari, Gulmohar Vatika, Rudri Road, Dhamtari, District Dhamtari Chhattisgarh
5. Collector, District Mahasamund, Chhattisgarh
6. Upper Collector Mahasamund, (Notified Arbitrator Under Section 3 (G) (5) Of The National Highway Act, 1956)
7. Sub Divisional Officer (Rev.) Mahasamund (Competent Land Acquisition Officer Under The National Highway Act, 1956)

8. Smt. Bhagwantin Wd/o Late Faguram Yadav Aged About 60 Years R/o Village- Ghodari, Tahsil And District Mahasamund, Chhattisgarh

---- Respondent

For Petitioners	Shri A. N. Bhakta, Advocate
For Respondent No.1	Shri B. Gopa Kumar, ASG
For Respondent-State	Shri Avinash Singh, PL
For Respondent Nos.3 & 4	Ms. Fouzia Mirza, Advocate

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

23/10/2018

1. In this petition under Article 226 of the Constitution of India, the petitioners have prayed for a direction to the respondent No.6 (wrongly mentioned as respondent No.7 in the relief clause) to resolve the dispute after demarcation of the land available on the spot with respect to Khasra No.643/2, area 500 sq. meter, situated at Village Ghodari, RI Circle, Tehsil and District Mahasamund.
2. It is submitted that in the award passed by the Competent Authority, there is mention of Khasra No.643/2, which belongs to respondent No.8 Smt. Bhagwantin. However, on the spot, the area used for construction/widening of national highway would fall in the land owned by the petitioners, therefore, in effect it is the land belonging to the petitioners, which has been acquired, although the khasra number is wrongly mentioned.

3. Considering the entire facts situation of the case, the writ petition is disposed of with direction to the respondent No.6 to decide petitioners' objection (Annexure-P-1 6) within a period of 3 months from the date of submission of objection. The petitioners shall submit copy of this order along with fresh representation/objection to the respondent No.6 within 2 weeks from today.

Sd/-

Prashant Kumar Mishra
Judge

Nirala