

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3189 of 2018

- Srimati Sahu D/o Late Chain Singh Aged About 64 Years R/o Village Baghoud, Tehsil Dabhra, District Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhatisgarh Through Its Secretary, Department of Revenue, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
3. Sub Divisional Officer (Rev.) Gharghoda, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
4. Kaushal Sahu S/o Rishabh Kumar Sahu Aged About 30 Years R/o Villge Kasdol, Tehsil- Gharghoda, Tamnar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
5. Chhabi Sahu Rishabh Kumar Sahu Aged About 27 Years R/o Village Kasdol, Tehsil Tamnar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
6. Smt. Rukhmani Sahu Wd/o Late Rishabh Kumar Sahu Aged About 55 Years R/o Village Kasdol, Tehsil Tamnar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
7. Chandrakanti Sahu D/o Late Chain Singh Aged About 65 Years W/o Shri Chhotelal Sahu, R/o Village Bodla, Police Station And Tahsil- District- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh
8. Shrikanti Sahu D/o Late Chain Singh Aged About 60 Years W/o Shri Jagannath Prasad Sahu, R/o Ramgudi Chowk, Telipara, Tahsil Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
9. The Manager, Punjab National Bank, Branch Gharghoda, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner

Shri F. S. Khare and Ms. Laxmi
Tonday, Advocates

For Respondent-State
For Respondent Nos.4 to 6

Ms. Astha Shukla, PL
Shri R. K. Bhagat and Shri S. K. Ratre,
Advocates

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

27/11/2018

1. The acquired land belongs to one Chain Singh. The petitioner is the daughter of the said Chain Singh. The respondent Nos.4 to 8 are also the legal heirs of Chain Singh. Previously, a writ petition was preferred by the respondent No.7 Chandrakanti Sahu bearing WPC No.876/2016, whereafter the respondent No.4's father Rishabh Kumar Sahu entered into a compromise with the respondent No.7 Chandrakanti Sahu admitting her share in the ancestral land. Petitioner's legal status in the family property is the same as has been admitted by Rishabh Kumar Sahu in favour of respondent No.7.
2. An application preferred by the petitioner, respondent No.7 and respondent No.8, all daughters of Chain Singh, before the Tehsildar, Tamnar for mutation of their name in the subject land under Sections 109 and 110 of the Chhattisgarh Land Revenue Code, 1959 preferred on 23.12.2014 is still pending consideration.
3. Considering the entire facts situation of the case, the Tehsildar, Tamnar is directed to decide the pending application preferred by the above said three daughters of Chain Singh within a period of 3 months from today. Based on the order passed by the Tehsildar, the Land Acquisition Officer shall decide the issue concerning apportionment of compensation amongst the family

members.

4. Till then, the amount of compensation shall not be disbursed by the Land Acquisition Officer.
5. The writ petition stands disposed of.

Sd/-
Prashant Kumar Mishra
Judge

Nirala