

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3197 of 2018**

- Vijay Laxmi Mishra W/o Hukum Prasad Mishra Aged About 61 Years (Owner Of Land Bearing Khasra No. 370/2, 370/3 And 370/7 At Village Mana) R/o Professor Colony, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer, Public Works Department (National Highway Division), Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Project Director National Highway Authority Of India, Project Implementation Unit Shankar Nagar Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. Sub Divisional Officer (Revenue) / Competent Authority (National Highway), Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
6. Collector, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
7. Union Of India, Through Secretary, Ministry Of Road, Transport And Highways, New Delhi., District : New Delhi, Delhi

---- Respondent**WPC No. 3198 of 2018**

1. Savitri W/o Dayaram Aged About 65 Years Owner Of Land Bearing Khasra No.1382/6, R/o Sakreli, Tahsil Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Dayaram S/o Late Fattu Ram Rathore Aged About 71 Years Owner Of Land Bearing Khasra No. 1382/5, R/o Sakreli, Tahsil Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. State Of Chhattisgarh Through- The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer Public Works Department (National Highway Division), Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Executive Engineer Public Works Department, National Highway Division, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Sub Divisional Officer (Revenue)/competent Authority (National Highway) Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
6. Tahsildar Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
7. Collector District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
8. Union Of India Through- Secretary, Ministry Of Road, Transport And Highways, New Delhi., District : New Delhi, Delhi

---- Respondent

WPC No. 3199 of 2018

1. Amit Sharma S/o Ramanuj Sharma Aged About 41 Years R/o Professor Colony, Raipur, Distict- Raipur, Chhattisgarh, Petitioner Joint Owners Of Part Of Land Khasra No. 383/1, Village Mana, Disrtrict- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Mahesh Kukreja S/o Jairam Kukreja Aged About 42 Years R/o Civil Lines Raipur, District- Raipur, Chhattisgarh, Petitioner Joint Owners Of Part Of Land Khasra No. 383/1, Village Mana, Disrtrict- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- The Secretary, Public Works

Department, Mantralaya, Mahanadi Bhawan, Naya Raipur,
District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

2. State Of Chhattisgarh Through- The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer Public Works Department (National Highway Division), Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Project Director National Highway Authority Of India Project Implementation Unit Shankar Nagar Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
5. Sub Divisional Officer (Revenue)/Competent Authority (National Highway) Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
6. Collector Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
7. Union Of India Through- Secretary, Ministry Of Road, Transport And Highways, New Delhi., District : New Delhi, Delhi

---- Respondent

For Petitioners	Shri Sushobhit Singh, Advocate
For Respondent-State	Shri Y. S. Thakur, Addl. AG
For Respondent-UOI	Shri B. Gopa Kumar, ASG
For Respondent No.	

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

27/11/2018

1. Mr. Sushobhit Singh, learned counsel for the petitioners, would submit that the matter in issue is covered by the order dated 18.7.2018 passed by a Division Bench of this Court in WPC No.1961 of 2018 (**Mahadev Gond Vs. State of Chhattisgarh and others**), which has been allowed with certain direction. He would pray that these writ petitions may also be allowed in the same terms.

2. It is submitted by Mr. B. Gopa Kumar, Assistant Solicitor General that the NHAI is proposing to file review application against the aforementioned order passed by the Division Bench.
3. Since similar petition (**Mahadev Gond Vs. State of Chhattisgarh and others**) has been allowed by the Division Bench of this Court, the present writ petitions are also allowed in terms of the above order. However, if the Division Bench takes a different view of the matter, while deciding the review petition to be preferred by the respondents in **Mahadev Gond** (supra), the respondents would be at liberty to move a review petition against the present order also.
4. A copy of the order passed in **Mahadev Gond**(supra) be placed on record of the present writ petitions.

Sd/-
Prashant Kumar Mishra
Judge

Nirala