

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3207 of 2018

- Bhuneshwar Prasad Tamboli S/o Rajaram Aged About 52 Years
Owner Of Land Bearing Khasra No.481 /49, 1382/4, R/o Village
Sakreli, Tahsil Sakti, District Janjgir- Champa, Chhattisgarh.,

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works
Department Mantralaya, Mahanandi 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

---- Respondents

For Petitioner
For Respondent-UOI
For Respondent-State

Shri Sushobhit Singh, Advocate
Shri B. Gopa Kumar, ASG
Shri Anand Dadariya, Dy. GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

28/11/2018

1. Mr. Sushobhit Singh, learned counsel for the petitioner, 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 the present writ petition 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 petition is 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 petition.

Sd/-
Prashant Kumar Mishra
Judge

Nirala