

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 423 of 2019

Bhandari @ Sadhuraam S/o Late Dashwa Ram Aged About 63 Years R/o Village Sakreli, Tahsil Sakti, District- Janjgir-Champa, Chhattisgarh (Owner Of Land Bearing Khasra No. 1252/63(K) ----- **Petitioner**

Versus

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

For Petitioner : Shri Sushobhit Singh , Advocate

For Respondents/State : Shri Rahul Jha, G. A.

For Respondent No.8 : Shri Krishna Gopal Yadav, Advocate on behalf of Shri B. Gopa Kumar (Asstt. S. G.)

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/05/2019

1. Shri 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 Shri Krishna Gopal Yadav, Advocate who is appearing on behalf of Shri B. Gopa Kumar, Assistant Solicitor General that the NHA 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/-

Goutam Bhaduri
Judge