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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 682 of 2019**

- Neg Sai, S/o Pardeshi Verma, Aged About 48 Years, R/o Village - Sakri, P.H. No.16/19, Revenue Circle - Lavan, Tahsil - Baloda Bazar District Bloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Naya Raipur, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector-cum-Officiating Dy. Secretary District Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. SDO - Cum - Land Acquisition Officer Baloda Bazar (Performed The Duties Of A Collector In The Matter Of Land Acquisition Matter), Tahsil - Baloda Bazar, District Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Executive Engineer Publics Works Department Baloda Bazar Division, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent**WPC No. 684 of 2019**

- Ramgopal, S/o Phool Singh, Aged About 49 Years, R/o Village - Sakri, P.H. No.16/19 Revenue Circle - Lavan, Tahsil - Baloda Bazar, District - Baloda Bazar - Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Naya Raipur, Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector - Cum - Officiating Dy. Secretary (In Land Acquisition Matter) District - Baloda Bazar - Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

3. SDO - Cum - Land Acquisition Officer Baloda Bazar (Performed The Duties Of A Collector In The Matter Of Land Acquisition Matter), Tahsil Baloda Bazar, District - Baloda Bazar - Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Executive Engineer Publics Works Department Baloda Bazar Division, Baloda - Bazar, District - Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

WPC No. 691 of 2019

- Keshav, S/o Kashiram, Aged About 57 Years, R/o Village Sakri, P. H. No. 16/19 Revenue Circle-Lavan, Tahsil Baloda Bazar, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector-Cum-Officiating Dy. Secretary (In Land Acquisition Matter) District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
3. SDO-Cum-Land Acquisition Officer (Perfomed The Duties Of A Collector In The Matter Of Land Acquisition Matter) Tahsil Baloda Bazar, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
4. Executive Engineer, Public Works Department, Baloda Bazar Division, Baloda Bazar District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

WPC No. 692 of 2019

- Bhawana, W/o Dauwa, Aged About 63 Years, R/o Village Sakri, P.H. No.16/19 Revenue Circle-Lavan, Tahsil Baloda Bazar, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector-Cum-Officiating Dy. Secretary (In Land Acquisition Matter) District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
3. Sdo-Cum-Land Acquisition Officer (Performed The Duties Of A Collector In The Matter Of Land Acquisition Matter) Tahsil Baloda Bazar, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
4. Executive Engineer Public Works Department, Baloda Bazar Division, Baloda Bazar District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent**WPC No. 699 of 2019**

- Aalok, S/o Bihari, Aged About 35 Years, R/o Village Sakri, P.H. No. 16/19 Revenue Circle- Lavan, Tahsil Balodabazar, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector-Cum-Officiating Dy. Secretary (In Land Acquisition Matter), District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. SDO-cum-Land Acquisition Officer Balodabazar (Performed The Duties Of A Collector In The Matter Of Land Acquisition Matter), Tahsil Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Executive Engineer Publics Works Department Balodabazar Division Balodabazar, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

WPC No. 702 of 2019

- Gajadhar Sahu, S/o Karthi Ram, Aged About 34 Years, R/o Village Sakri, P.H. No.16/19 Revenue Circle - Lavan, Tahsil Balodabazar District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, naya Raipur, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Cum Officiating Dy. Secretary (In Land Acquisition Matter) District Balodabazar -Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. SDO-cum-Land Acquisition Officer Balodabazar (Performed The Duties Of A Collector In The Matter Of Land Acquisition Matter) Tahsil Baldaobazar, District Balodabazar -Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Executive Engineer, Publics Works Department Balodabazar Division, Balodabazar, District Balodabazar -Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondents

For Petitioners	Shri Sushobhit Singh, Advocate
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For Respondent-State	Shri Sudeep Verma, Dy. GA and Shri Rajendra Tripathi, PL
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Hon'ble Justice Mr. Prashant Kumar Mishra**Order On Board****26/02/2019**

1. Learned counsel for the petitioners would submit that the petitioners' land has been acquired for the construction of bypass road. However, while assessing compensation, multiplier of 1 has been used, whereas the Division Bench of this Court in WPC No.1649 of 2017 (**Smt. Anita Agrawal Vs. State of Chhattisgarh**

and others) and other connected petitions has set-aside the Notification dated 04.12.2014, applying multiplier factor of 1 with direction to the State Government to issue fresh Notification indicating the multiplier factors in terms of the guidelines laid down in the statute and the judgment of the Division Bench.

2. In **Smt. Anita Agrawal** (supra), the following has been held by the Division Bench in paras 10, 11 & 12 :

10. Further, the question is not about the power of the State Government to issue such notification, the question is the manner in which such power has been exercised which can also be levelled as mindless exercise of power since by restricting the multiplier of factor to 1.00, the State is obviously trying to treat all land owners as one. This will deny to the poor land owners of the remote villagers, fair compensation and rehabilitation, which is the primary object behind the new Land Acquisition Act of 2013.

11. Drawing analogy from the view taken by the Division Bench of Bombay High Court, which we have quoted with due approval, Court is left with no option but to strike down the notification dated 04.12.2014 contained in Annexure P/1. A direction is issued that keeping in mind the legal position which emerges, the State Government will issue a fresh notification indicating the multiplier factors, in terms of the guidelines laid down in the statute and the judgment.

12. It goes without saying that all awards and compensations in relation to not only these Petitioners but all such persons whose lands have been acquired and a multiplier of 1.00 has been used for calculating the compensation, the same will be required to be revised and revisited in light of the new notification, which is required to be notified by the State Government, on priority."

3. In view of the above, the present batch of writ petitions are disposed of with direction that the petitioners shall move a representation before the concerned Collector (Land Acquisition)

within a period of 4 weeks from today. Thereafter, the said Collector shall decide the representation within 10 weeks from the date of the State Government's fresh Notification in terms of the directions issued by the Division Bench.

Sd/-
Prashant Kumar Mishra
Judge

Nirala