

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.1113 of 2019

1. Lakshmikuwar Gabel, D/o Kushal Singh, Aged About 60 Years, Caste Gabel, R/o Parsa, Tehsil Maal Karoda, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
2. Smt. Roopkuwar Gabel D/o Kushal Singh Aged About 58 Years Caste Gabel, R/o Kharsiya, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
3. Smt. Sonkuwar Gabel, D/o Kushal Singh, Aged About 56 Years, Caste Gabel, R/o Chitakhtra, Tehsil Kharsiya District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. The Union Of India Deputy Engineer, South East Central Railway, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
2. Deputy Chief Engineer (Const.) Railway Corridor Project, Land Acquisition, Tehsil Dharmjaigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
3. Collector Raigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
4. Sub Divisional Officer (Revenue) Dharmjaigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
5. Nayab Thesildar (Chaal) Dharmjaigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Respondents

For Petitioners	Shri G. R. Mirri, Advocate with Shri Basant Kaiwartya, Advocate
For Respondent-State	Shri Sudeep Verma, Dy. GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

25/03/2019

1. The land acquisition award was passed in favour of several persons including Khushiya Singh on 11.05.2015 by the SDO (Revenue)-cum-Land Acquisition Officer, Dharamjaigarh, District Raigarh. It is submitted that on the date of the award, Khushiya Singh was already dead. In due course, the petitioners moved application for recording of their name in the revenue record, which has been ordered by the Naib Tahsildar (Chhal), Dharamjaigarh, District Raigarh on 23.07.2018. Thereafter, the petitioners have moved application for disbursement of the amount of compensation before the SDO (Revenue), Dharamjaigarh on 18.01.2019 vide Annexure-P-4.
2. The prayer made in this writ petition is for a direction to the respondent No.3 to disburse the amount of compensation.
3. Considering the entire facts situation of the case, the writ petition is disposed of with direction that in the event the petitioners move fresh representation before the SDO (Revenue)-cum-Land Acquisition Officer for disbursement of the amount of compensation, the same shall be dealt with by the concerned Authority, in accordance with law. Necessary orders may be passed within a period of 3 months from the date of submission of representation.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order as opinion on the merits of the case.

Sd/-
Prashant Kumar Mishra
Judge