

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 6553 of 2007**

1. Raj Kumar Modi S/o. Shri Shantilal Modi, aged about 47 years, Occupation – Agriculturist, R/o Village – Atari, Tehsil & District – Raipur (Chhattisgarh) at present Samta Colony, Raipur, District – Raipur, Chhattisgarh
2. Santosh Kumar Gupta S/o Shri Munnalal Gupta S/o. Shri Munnalal Gupta, aged about 48 years, R/o.Village Atari, Tehsil And District Raipur, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through the Secretary (Revenue), Department of Revenue, Mantralaya, D.K.S. Bhawan, Raipur, Chhattisgarh
2. Collector, Raipur, District – Raipur, Chhattisgarh
3. Sub-Divisional Officer (Revenue), Raipur, Teh.-Raipur, District – Raipur, Chhattisgarh
4. Officer-in-charge, Land Acquisition Branch, Raipur, Distt.- Raipur, Chhattisgarh
5. Divisional Forest Officer, Raipur Van Mandal, Raipur, Chhattisgarh
6. Sub-Divisional Officer (Forest) Raipur in-charge of Nandanvan, Raipur, District – Raipur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Vaibhav Maheshwari Advocate.
For State	:	Mr. Alok Bakshi, Addl. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/11/2019**

1. This petition has been filed by the petitioner assailing correctness and validity of notification under Section 4 (1) read with Section 17(1) of the Land Acquisition Act, by which, the respondents initiated acquisition proceedings for acquisition of petitioner's land.
2. At the outset, learned counsel for the petitioner brings to the notice of this Court that since a petition was filed, this Court passed an interim order on 30.10.2007 that no coercive steps shall be taken subsequent to impugned notification.
3. It is also stated that according to information received, later on, because of the interim order, no proceedings were taken and the purpose for which the lands

were to be acquired i.e. for developing a Zoo, some other land has been used.

4. Learned Additional Advocate General would submit that as there was an interim order passed by this Court, no further development has taken place towards acquisition of land of the petitioner.
5. It appears that as the notification was challenged before this Court, an interim order was passed, respondent could not proceed further in the matter and it is also reflected that the Zoo was constructed on some other piece of land, that means, no acquisition proceedings could be finalized. At present, the land of the petitioner may not even be necessary and the notifications issued against the petitioner are not likely to be taken any further.
6. In that view of the matter, this petition, at this stage, is disposed off, however, with liberty to revive in case, cause of action still survives.

Sd/-

(Manindra Mohan Shrivastava)
Judge