

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1196 of 2019**

Arjun Singh S/o Sarthi Ram Gond, Aged About 41 Years R/o Village - Nagjhar, Tahsil And Police Station Malkharoda, District Janjgir - Champa Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mantralaya, Atal Nagar New Raipur Chhattisgarh.
2. The Collector, Janjgir District Janjgir - Champa Chhattisgarh.
3. The Land Acquisition officer, Hasdeo Bango Project, Sakti District Janjgir Champa Chhattisgarh.
4. The Sub Divisional Officer, Hasdeo Dai Tat Nagar, Division No. 4, Nandelibhatha, Sakti District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner	:	Shri H. S. Patel, Advocate
For Respondent/State	:	Shri Sudeep Verma, Dy. G. A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/04/2019**

Heard

1. The petitioner land have been acquired for canal project in village Nagjhar, Tahsil Malkharoda, District Janjgir- Champa and possession of the land was already taken in the year 1999. However, though the land was used but it was never acquired in accordance with law, therefore, the petitioner seeks direction to

the respondents for determining and disbursement of compensation or to provide equal area of lands in lieu of compensation.

2. Learned State counsel further seeks time. It appears that in earlier occasion also, time was sought for.
3. Perusal of the records would show that initially by an order dated 29/03/2016 passed in WPC No. 1251 of 2015 the Court has directed to expedite the proposal and take appropriate decision in matter of award of compensation to the petitioner at the earliest and that having been not done, contempt case was filed bearing Contempt Case(C) No. 713 of 2017 before the Court which was disposed of on 07/12/2017 and it was observed that Court had directed for consideration of the petitioner's case and liberty was given to review the writ petition therefore, the instant petition. Earlier it appears that direction was already issued to the respondents authorities to decide the case of the petitioner qua the acquisition of the land but despite two rounds of litigation nothing was done.
4. In view of the statement made and in view of the order passed by this Court in **Banshilal Sidar V State of Chhattisgarh & Others** (WPC No. 4628 of 2011 decided on 19/10/2011), wherein this Court has observed that when there is deprivation of

constitutional right as enshrined under Article 300A of the Constitution of India, adequate compensation has to be paid in all respects and the State authorities should take immediate steps to compute the compensation amount and pay the interest from the date of possession, till the amount of is paid. The writ petition is disposed of with a direction that while determining the compensation the authorities shall consider payment of interest to the petitioner from the date of dispossession.

5. Taking into the background of this case, the authorities shall be obliged to decide the case of the petitioner within a further period of 60 days from the date of presentation of a copy of this order.
6. With the aforesaid direction/observation, the writ petition is disposed of.

Sd/-
Goutam Bhaduri
Judge

Jyoti