

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1365 of 2019**

Smt. Punam Kaiwartya W/o Shri Sewakram Kaiwartya, Aged About 39 Years
R/o New Kohadiya (Charpaara) Korba District Korba Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - Secretary, Urban Administration And Development Department Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Municipal Corporation Korba, Saket Bhawan, Iti, Rampur, Korba District Korba Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Sanjay Patel, Advocate
For Respondent/State	:	Shri Rahul Jha, G. A
For Respondent No.2	:	Shri B. D. Guru, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****10/04/2019**

1. Heard.
2. Learned counsel for the petitioner submits that the Municipal Corporation would acquire the land of the petitioner for constructing the road, therefore, the Municipal Corporation may be directed to acquire the land as per the law and thereafter may construct the road.
3. Learned counsel for the Municipal Corporation would submit that as per the instructions received, the land of the petitioner do not fall within

the layout of the road. It is further submitted that if the land falls within the layout, in such case, the Municipal Corporation shall resort to the land acquisition proceeding.

4. In view of the submission made before this Court, the demarcation of the land of the petitioner qua the layout of road whether it through or over the land of the petitioner may be carried out. If any portion of the land is enveloped for construction of road, the Municipal Corporation shall resort to land acquisition proceeding under the right to fair compensation and transparency in land acquisition, rehabilitation & resettlement Act, 2013.
5. With such observation the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge