

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1484 of 2019

Sunita Devi W/o Shri Sanjit Kumar Aged About 30 Years R/o Plot No. 12, G/03, Block- K-5, Uttam Nagar, West Delhi, Present Address, Kaharmora, Tahsil And District- Korba, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mantralaya Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The Collector Korba, Chhattisgarh
3. The Sub Divisional Officer (R)-Cum The Land Acquisition Officer Korba, District- Korba, Chhattisgarh
4. Municipal Corporation Korba Through The Chief Municipal Officer, Municipal Corporation Korba, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Rishi Rahul Soni, Advocate
For State	:	Mr. Anmol Sharma , Panel Lawyer
For Respondent	:	Mr. B.D. Guru, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.04.2019

Heard

1. 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.
2. 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.

3. 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.
4. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
JUDGE