

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1574 of 2019**

- Anil Kumar Bhoi S/o Shri Rajkumar Bhoi Aged About 25 Years Caste Soura, R/o Village Chapora, Tahsil Pussore, District- Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administration And Urban Administration Department, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh
2. Sub Divisional Officer (Revenue-Cum-Land Acquisition Officer), Raigarh, Tahsil And District- Raigarh, Chhattisgarh
3. The Collector Raigarh, District- Raigarh, Chhattisgarh
4. The Tahsildar Raigarh, District- Bilaspur, Chhattisgarh
5. General Manager National Thermal Power Corporation Limited, Talaipali (Coal Mining Project Railway Line) Thana Gharghoda, Tahsil And District- Raigarh, Chhattisgarh
6. Royal Builders And Company Through Director Manish Agrawal, S/o Ramesh Agrawal, R/o Dimrapur, Raigarh, Tahsil And District- Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rajat Agrawal, Advocate
For Respondents/State	:	Shri Rahul Jha, GA
For Respondent No.5	:	Shri Prafull N. Bharat, Advocate with Shri B.D. Guru, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/05/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that petitioner's land was acquired, however, the compensation was paid to the erstwhile land owner and

the erstwhile land owner has returned the amount as per Annexure P-2. The petitioner has prayed that the petitioner may be given opportunity to file the application under Section 33 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and accordingly the same may be corrected and compensation may be paid to the petitioner.

3. Learned counsel for respondent No.5 would submit that the award was passed on 30.07.2017 and as per Section 33 of the Act, 2013 six months time has already been elapsed, therefore, that remedy could not be extended to the petitioner. He would further submit that the petitioner has already filed an application before the SDO to get the compensation of the land which is pending adjudication, however, the petitioner is not attending such case before the SDO.
4. I have heard learned counsel for the parties.
5. Photocopy of the order dated 01.03.2018 is filed along with the copy of the application filed by the petitioner. After perusal of the same it appears that no relief can be granted in this petition to the petitioner as claimed for, as statutory limit of Section 33 of the Act, 2013 has already expired. The petitioner, if so advised, shall appear before the SDO, wherein the application has been filed by the petitioner on 30th of May, 2019, thereafter the concerned SDO shall decide the application of the petitioner within a further period of three months.
6. With the aforesaid observation, the writ petition is disposed of.

Sd/-
Goutam Bhaduri
Judge

Ashu