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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 3137 of 2017**

- Preeti Agrawal W/o Shri Amit Agrawal, Aged About 32 Years R/o Sawariya Building, Ramniwas Talkies Chowk, Raigarh, Through Power of Attorney Holder Shri Amit Agrawal S/o Shri Hanuman Agrawal, Aged About 38 years, R/o Sawariya Building, Ramniwas Talkies Chowk, Raigarh, Police Station Kotwali, Tahsil And District Raigarh, Chhattisgarh., Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department of Revenue and Disaster Management, Mahanadi Bhawan, Mantralaya, Naya Raipur, Tahsil And District Raipur, Chhattisgarh., Chhattisgarh
2. The Collector (Land Acquisition), Janjgir- Champa, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer, Revenue, Land Acquisition Officer, Dabhara, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Executive Engineer, Water Resources (Survey & Barrage), Division No.1, Kharsiya, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
5. Union Of India, Through Ministry of Law and Justice (Legislative Department), Through Secretary, Ministry Of Law And Justice, Legislative Department, New Delhi., District : New Delhi, Delhi

**---- Respondent**

**WPC No. 2536 of 2018**

- Pankaj Upadhyay, S/o Pradeep Upadhyay Aged About 37 Years, R/o Satigudi Chowk, Baikunthpur, Raigarh Police Station Tahsil and District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department of Revenue And Disaster Management Mahanadi Bhawan Mantralaya, Naya Raipur, Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

2. The Collector ( Land Acquisition ) Janjgir Champa District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer, Revenue ( Land Acquisition Officer ) Dabhara, District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Executive Engineer, Water Resources (Survey And Barrage) Division No. 1, Kharsiya District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

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For Petitioners  
For Respondent-State

Shri Tarkeshwar Nanded, Advocate  
Shri Sudeep Verma, Dy. GA

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**Hon'ble Justice Mr. Prashant Kumar Mishra**

**Order On Board**

**15/01/2019**

1. In WPC No.3137/2017, the petitioner has prayed for quashment of the gazette notifications dated 01.04.2015 and 02.03.2015 under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as also for payment of compensation. Similarly, in WPC No.2536/2018, the petitioner would pray for a direction to the respondent authorities to provide compensation for use of petitioner's land for construction of Saradih Barrage in the District Janjgir-Champa.
2. Concededly, the notification dated 02.03.2015 has already been quashed by this Court in **WPC No.1401/2015 (Alok Agrawal vs State of Chhattisgarh and others)** and other connected matters. In WPC No.3137/2017, the following statement has been made by the State in paras 5 & 6:-

“5. It is submitted that after receipt of the order passed by the Hon'ble Court, the Collector, District Janjgir-Champa dropped the entire land acquisition

proceedings in Case No.26/A-82 year 2012-13 and further directed the Sub Divisional Officer, Revenue to send a fresh proposal vide order dated 03.01.2018. A copy of the relevant pages of order sheet of the case No.26/A-82 year 2012-13 is being filed herewith as **Annexure R/1**.

6. It is respectfully submitted that the State Government, Department of Revenue and Disaster Management has framed a policy by the name of Consent Land Purchase Policy, 2016. Copy of the Policy, 2016 is being filed herewith as **Annexure R/2**. The Department of Water Resources submitted a proposal for purchase of land belonging to the private individual for construction of Saradeeh Barrage as well as for purchase of the land coming under submergence of the said barrage as per the Policy, 2016. A proposal was moved before the Collector vide communication dated 10.04.2018. Copy of the communication dated 10.04.2018 along with Form-13, details of lands coming under submergence and compensation amount calculated by the department is being filed herewith as **Annexure R/3**."

3. In view of the statement made in the return, let the respondents complete the acquisition proceedings at the earliest.
4. Both the writ petitions stand disposed of.

Sd/-  
Prashant Kumar Mishra  
Judge

Nirala