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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1503 of 2018**

1. Smt. Sunita Tiwari Wd/o Ramashankar Tiwari, Aged 62 Years
2. Vinamra @ Golu Tiwari, S/o Ramashankar Tiwari
3. Shruti Tiwari, D/o Ramashankar Tiwari
4. Anand Tiwari, S/o Satyanarayan Tiwari, Aged 61 Years
5. Smt. Premlata Sharma, D/o Satyanarayn Tiwari, Aged 72 Years
All the petitioner are R/o Brahman Para, Raipur, District Raipur
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of
Housing And Environment Mantralay, Mahanadi Bhawan, Naya
Raipur
2. The Collector, District Raipur Chhattisgarh.
3. Naya Raipur Development Authority (NRDA) Through Its Chief
Executive Officer, Paryavas Bhawan North Block, Sector - 19,
Naya Raipur Marg, Naya Raipur, Pin - 492002
4. Land Acquisition Officer / Sub Divisional Officer, Tehsil - Arang
And Abhanpur Civil And Revenue District Raipur Chhattisgarh.
5. Nishtha D/o Ramashankar, R/o Brahman Para, Raipur District
Raipur Chhattisgarh
6. Shakun D/o Satyanarayan Tiwari, R/o Brahman Para, Raipur
District Raipur Chhattisgarh
7. Meera D/o Satyanarayan Tiwari, R/o Brahman Para, Raipur,
District Raipur Chhattisgarh

---- Respondent

For Petitioners
For Respective
Respondents

Mr. RK Kesharwani, Advocate
Mr. Vikram Dixit, Government Advocate &
Mr. Akash Shrivastava, Advocate

Order On Board By

Hon'ble Mr. Justice Prashant Kumar Mishra

23/1/2019

1. Heard.
2. Admittedly, the petitioners' land has been acquired for construction of Naya Raipur and an award has been passed on 1.6.2013. Being satisfied with the award, the petitioners have agreed to receive the amount but on account of pendency of WPC No.1164 of 2014 (**Jagmohan Chandrakar Vs. State of Chhattisgarh and others**), the respondents are not disbursing the compensation to the petitioners.
3. On earlier dates of hearing, this Court directed that this petition shall be heard along with WPC No.1164 of 2014, however, in the meanwhile, the said writ petition has been dismissed in default pursuant to the Court's peremptory order dated 14.8.2018 and the restoration application is pending consideration.
4. Be that as it may, even assuming that the award is set-aside by this Court in WPC No.1164 of 2014, the quashment would enure to the benefit of the petitioners of the said petition only. Any writ of the Court cannot bind the petitioners, who do not wish to challenge the acquisition proceedings being satisfied with the award passed qua them.

5. In view of the statement made by the petitioners that the petitioners are satisfied with the award, the writ petition is disposed of with direction to the respondent authorities to disburse the compensation assessed in favour of the petitioners within a period of 2 months from today.

Sd/-

(Prashant Kumar Mishra)

Judge

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