

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2179 of 2019

Maniram Dhruv S/o Shri Bishram Aged About 52 Years R/o Village Sendh,
Tahsil Arang, District Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Housing And Enviroment, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
2. Department Of Agriculture And Animal Husbandry Through Secretary, Mantralaya, Naya Raipur Chhattisgarh. National Highway Authority Of India, Project Implementation Unit, Shankar Nagar, Raipur, District Raipur Chhattisgarh.
3. District Collector, Collector Raipur Chhattisgarh.
4. Naya Raipur, Development Authority Through Its Chief Executive Officer, New Rajendra Nagar, Infront Of Vijeta Complex, R.D.A. Building Raipur Chhattisgarh.
5. Land Acquisition Officer/sub Divisional Officer Tehsil Arang, Abhanpur, District Raipur Chhattisgarh.
6. Commissioner Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner : Shri Sushobhit Singh, Advocate

For Respondent/State : Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/07/2019

Heard.

1. It is contended that against the order passed for acquisition of land on 20/11/2012 the same was subject of challenge in WPC No. 1886 of 2014 by the petitioner and others.

2. Subsequently the petitioner has got his name deleted from the WPC No. 1886 of 2014 which was allowed by this Court on 03/05/2019.
3. Learned counsel for the petitioner submits that the amount of award has not yet been disbursed, therefore, the petitioner is entitled to interest on the award amount under Section 34 of the Land Acquisition Act, 1894.
4. Learned counsel would draw attention of the Court to the law laid down by the Supreme Court in the matter of **Union of India and another Vs. Pushpavathi and others**, reported in (2018) 3 SCC 28, to highlight that the writ petition is maintainable to claim interest under Section 34 of the Act, 1894.
5. Considering the entire facts situation of the case and the judgment rendered by the Hon'ble Supreme Court, the writ petition is disposed of with direction that in the event the petitioner moves a representation before the respondent Nos. 2 & 3 claiming the interest for the period of passing of the award and its disbursement, within a period of 4 weeks from today, the said respondent shall consider and decide the representation at the earliest, preferably within a period of 4 months thereafter.

Sd/-
Goutam Bhaduri
Judge