

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2177 of 2019**

Suresh Kumar Jivnani S/o Late Shri Arimal Jivnani Aged About 64 Years R/o Parivar Bhawan, Hemu Nagar Chowk Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

----Petitioner**VERSUS**

1. State Of Chhattisgarh Through the Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan, Mantraya, Naya Raipur, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Land Acquisition Officer -Cum- Sub Divisional Officer Revenue Bilha, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Executive Engineer Water Resources Division Kota, Water Resources Department, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Union Of India Through The Secretary, Ministry Of Rural Development, Department Of Land Resource Government Of India, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi, District : New Delhi, Delhi 110001

-----Respondents

For Petitioner	:	Mr. Mateen Siddiqui, Advocate
For Respondent No. 5	:	Mr. B. Gopa Kumar, Asst. S.G.
For Respondent No. 1 to 3	:	Mr. Sudeep Verma, Deputy G.A.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Judgment on Board****Per P.R. Ramachandra Menon, Chief Justice.****18/07/2019**

1. The prayers made by the petitioner are in the following terms:

“10.1 That, this Hon'ble Court may kindly be pleased to call for the entire record pertaining to the proceedings before the State government prescribing for its kind perusal.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ quashing and setting aside the notification dated 04.12.2014 (Annexure P-1) passed by respondent No. 1

10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ the respondent authorities to recompute the compensation payable to the petitioner after prescribing the appropriate factor under First Schedule of the Said Act 2013 and to pay the same along with interest.

10.4 Any other relief which this Hon'ble Court deems fit and proper may kindly be granted to the petitioner, in the interest of justice.”

2. Heard learned counsel for the petitioner as well as Mr. B.Gopa Kumar, Assistant Solicitor General and Mr. Sudeep Verma, Deputy Government Advocate.
3. The basic dispute appears to be with regard to the appropriate multiplier to be applied for the purpose of granting compensation in land acquisition cases.
4. In the instant case, the multiplier of '1' (one) was adopted by the State, without with regard to the project proximity to the urban area, which according to the petitioner should have been '2' (two) as notified by the Central Government; adding that, there cannot be two different multipliers within the same State and similar circumstances. It is also brought to the notice of this Court that, recently, similar issue had come up for consideration before this Court and as per Annexure P/8, judgment dated 30-10-2018 passed in WP(C) 1649/2017 and other connected cases, the issue was settled and all the cases were disposed of. It is submitted by

the learned counsel for the petitioner that, this matter also might be disposed of in terms of the said judgment. The said submission is supported by the learned counsel for the State as well as learned Assistant Solicitor General. It is also brought to the notice of this Court by the learned Deputy Government Advocate and the learned Assistant Solicitor General that the State Government has already caused necessary amendments and that the appropriate multiplier has been modified to be '2' (two), in place of '1' (one).

5. In the above circumstances, we find it appropriate to cause the matter to be disposed of in terms of the Judgment (Annexure P/8). The writ petition stands disposed of accordingly.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge