

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2526 of 2019**

- Harishankar Patel S/o Shri Goverdhan Aged About 65 Years Tahsil Tamnar, District Raigarh Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management , Mahanadi Bhavan, Atal Nagar, District Raipur Chhattisgarh
2. Collector, Raigarh, District Raigarh, Chhattisgarh
3. Land Acquisition Officer Gharghoda, District Raigarh Chhattisgarh
4. General Manager, District Trade And Industry Centre, Raigarh, District Raigarh Chhattisgarh

---- Respondents

For Petitioner : Shri B.M. Roy, Advocate

For Respondents/State : Shri Ashish Surana, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****25/07/2019**

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner's land was acquired and the award was passed on 07.09.2012 by Annexure P-1. He would further submit that though the award was passed, however, 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.

3. 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.
4. 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 disbursal, 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

Ashu