

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3052 of 2019**

- Yogesh Kumar Gabel S/o Shri Ramesh Kumar Gabel Aged About 42 Years R/o Masinyakala, Tehsil- Sakti, District- Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Revenue, New Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The Collector District- Janjgir Champa, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Cum- Prescribed Authority Land Acquisition, Champa, District- Janjgir Champa, Chhattisgarh
4. The Executive Engineer PWD, National Highway Division, Bilaspur, Chhattisgarh
5. The Upper Commissioner Bilaspur Division, Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Govind Ram Miri, Advocate with Shri Basant Kaiwartya, Advocate
For Respondents/State	:	Shri Avinash Singh, PL
For Respondent No.4	:	Shri Ashwini Shukla, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****04/09/2019**

1. Heard.
2. It is submitted that by reference to Annexure P-1, the initial award was passed for acquisition of land for construction of the road on 30.07.2016. Subsequently, as per the National Highway Act, 1956, the matter was referred to the arbitrator

and the arbitrator on 17th of August, 2017 passed an award, whereby directed to enhance the amount and till date despite two years have been passed the respondents are not releasing the amount.

3. Learned counsel for the petitioner would submit that though the repeated efforts have been made to get the amount released, however, despite the recommendation made by the government counsel, the amount has not been released.
4. Perused the documents filed along with the writ petition. The award of the arbitrator is dated 17th of August, 2017, copy of the same is on record. Considering the same, the award is of the year 2017 and as it is stated that till date the petitioner has not been benefited by such order, the concerned land acquisition officer is directed to release the amount after due calculation within a period of one month from the date of receipt of copy of this order. The petitioner's entitlement to interest on the awarded amount is left open to be determined as and when the petitioner makes such prayer and prefers fresh writ petition for which liberty is reserved in his favour.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge