

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3274 of 2019**

1. Ramesh Agrawal S/o Shri Ramkumar Agrawal Aged About 55 Years

2. Pinky Agrawal W/o Ramesh Agrawal Aged About 38 Years

Both are R/o Village Chandrapur, Police Station Chandrapur, Tahsil Dabhra,
District- Janjgir-Champa, Chhattisgarh

3. Vivek Agrawal S/o Rajesh Agrawal Aged About 37 Years (Wrongly Mentioned
As Ramesh Agrawal In Compensation Chart)

4. Khushboo Agrawal W/o Vivek Agrawal Aged About 33 Years

Both are R/o Shivrinarayan, Tahsil Shiverinarayan, District- Janjgir-Champa,
Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Revenue And
Disaster Management, Ministry, Mahanadi Bhawan, Atal Nagar, District- Raipur,
Chhattisgarh

2. District Collector Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh

3. Sub-Divisional Officer (Revenue) Chandrapur, District- Janjgir-Champa,
Chhattisgarh

4. Tahsildar Dabhra, District- Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioners : Shri Kamal Kishore Patel, Advocate

For Respondents/State : Ms. Astha Shukla, PL

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/09/2019

1. Heard.

2. Learned counsel for the petitioners submits that the land of the petitioners were acquired by order dated 22.11.2018, however, the amount of award was not disbursed till date, therefore, in addition to the amount of award, the petitioners are also entitled interest on the award under section 80 of the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (for short "the Act of 2013).

3. Section 80 of the Act of 2013 reads as under

"80. Payment of interest.- When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of nine per cent, per annum from the time of so taking possession until it shall have been so paid or deposited:

Provided that if such compensation or any part thereof is not paid or deposited within a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent, per annum shall be payable from the date of expiry of the said period of one year on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry."

4. Considering the fact that the petitioners have not been paid the amount of award, the State/respondents are directed to make payment within a further period of 30 days from the date of presentation of a copy of this order.
5. It is further clarified that if the petitioners move an application before respondent No.3, about the entitlement of the interest from the date the possession has been taken till the date of actual payment, the same shall also be decided within a further period of 90 days from the date of representation.
6. With the above direction/observation, this writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge