

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3557 of 2019**

1. Rahul Agrawal S/o Shri Ramesh Agrawal Aged About 29 Years
2. Anil Agrawal S/o Kailash Chand Agrawal Aged About 33 Years
3. Meena Devi Agrawal W/o Kailash Chand Agrawal Aged About 50 Years

All are R/o Village Chandrapur, Police Station Chandrapur, Tahsil Dabhra,
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 Jangir-Champa Chhattisgarh

---- Respondents

For Petitioners : Shri Tapan Kumar Chandra, Advocate

For Respondents/State : Ms. Astha Shukla, PL

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/10/2019

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