

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3777 of 2019**

1. Basant Chandrakar S/o Late Sarju Chandrakar Aged About 58 Years
2. Chintamani Chandrakar S/o Late Sarju Chandrakar Aged About 48 Years
3. Indaru Chandrakar S/o Late Sarju Chandrakar Aged About 45 Years
All R/o. Ward No.16, Sheetala Para, Mahasamund, Tahsil And District Mahasamund, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Department Of Revenue And Disaster Management, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh.
2. Collector Mahasamund, District Mahasamund, Chhattisgarh.
3. Sub Divisional Officer (Revenue)/ Land Acquisition Officer Mahasamund, Tahsil Mahasamund, District Mahasamund, Chhattisgarh
4. Tahsildar Mahasamund, District Mahasamund, Chhattisgarh.

For Petitioners	:	Mr. Shobhit Koshta, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****22/10/2019**

1. The challenge in the present writ petition is to the impugned order Annexure P/4 dated 25.01.2019, passed by the Joint Collector, District Mahasamund, Chhattisgarh
2. Vide the impugned order the Collector has rejected the claim application of the petitioners seeking for compensation against the lands belonging to the petitioners, which have been taken over by the State Authorities for construction of schools, etc.
3. The contention of the petitioners is that the petitioners have got valid documents in their possession way back from 1955 onwards to establish that they are the title holders of the said land, but

inadvertently the same could not be produced before the Collector at the relevant point of time.

4. Given the limited grievance that the petitioners have submitted, this Court is of the opinion that ends of justice would meet if the petitioners are granted one more opportunity to appear before the Collector in respect of their claim along with all relevant records in respect of ownership and title of the property, which is alleged to have been taken over by the State Authorities.
5. On such documents and records being produced by the authorities, the Collector is also directed to pass a fresh order on the claim application filed by the petitioners.
6. In the light of the fact that this Court is remitting the matter back to the Collector permitting the petitioners to file fresh documents/ records, the impugned order so far as the Annexure P/4 dated 25.01.2019 is concerned, the same shall lose its efficacy. This Court has not expressed any opinion, so far as the merits of the case is concerned.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved