

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3988 of 2019

1. Narsing Nath Verma, S/o Latel Verma, Aged About 57 Years, R/o Village- Tarpongi, Ward No. 18, Tahsil- Tilda, District : Raipur, Chhattisgarh
2. Smt. Sati Verma, W/o Narsing Nath Verma, Aged About 55 Years, Represented Through General Power Of Attorney. R/o Village- Tarpongi, Ward No. 18, Tahsil- Tilda, District : Raipur, Chhattisgarh
3. Smt. Bharti Verma, W/o Jitendra Kumar Verma, Aged About 35 Years, Represented Through General Power Of Attorney. R/o Village- Tarpongi, Ward No. 18, Tahsil- Tilda, District : Raipur, Chhattisgarh
4. Chinmay Dev Verma, D/o Narsing Nath Verma, Aged About 33 Years, Represented Through General Power Of Attorney. R/o Village- Tarpongi, Ward No. 18, Tahsil- Tilda, District : Raipur, Chhattisgarh

---- Petitioners

Versus

1. The Project Director, National Highway Authority of India, Project Implementing Unit, Shankar Nagar, Raipur, District : Raipur, Chhattisgarh
2. The Prescribed Authority And Sub-Divisional Officer (Revenue) Raipur, District : Raipur, Chhattisgarh
3. The Upper Collector And Arbitrator Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---Respondents

For Petitioners	:	Mr. A.D. Kuldeep, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11.11.2019

1. The relief sought for by the petitioners in the present Writ Petition is for an appropriate direction to the Respondent No. 3 to decide the

arbitration application filed by the petitioners in-respect-of grant of proper adequate compensation against the lands belonging to the petitioners, which were acquired by the respondents.

2. The contention of the petitioners is that the Respondent No. 3 is the arbitrator for deciding the assessing compensation in-respect-of the lands belonging to the petitioners which has been acquired by the respondents. The said application is pending consideration before the Respondent No. 03 for quite some time. The lands belonging to the petitioners situate at Khasra No. 516/1, 516/3, 516/4 and 516/5 situated at village Tarpongi which were acquired by the respondents for widening of the National Highway. The petitioners were not given proper compensation.
3. Being aggrieved, the petitioners had preferred WPC No. 770 of 2017 which was disposed-off on 26.09.2017 directing the Additional Commissioner -Raipur for taking appropriate direction. The matter was later on placed before the Additional Collector, who is the arbitrator in this case for deciding the appropriate compensation payable. Though more than one year had elapsed, the Respondent No. 3 has not decided the application and the matter is getting adjourned for some reason or the other. The Writ Petition, therefore, has been filed seeking for appropriate direction to the Respondent No. 03.
4. Considering the entire facts and circumstances of the case and also taking note of the limited relief that the petitioners have sought for, this Court is of the opinion that ends of justice would meet, if the Respondent No. 3 is directed to consider and decide the arbitration application of the petitioners; so far as determining of the appropriate

compensation that they are entitled for at the earliest, preferably within a period of 4 months from the date of receipt of copy of this Order.

5. With the aforesaid observations, the present Writ Petition stands disposed-off.

**Sd/-
(P. Sam Koshy)
Judge**