

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4065 of 2019**

Santosh Kumar Jain S/o. Late J.K. Jain Aged About 71 Years Occupation-
Business, Jain Housing Agency, R/o C-2, 26/7, New Rajendra Nagar,
Raipur, District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Housing
And Environment, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava
Raipur District Raipur Chhattisgarh
2. State Of Chhattisgarh Through The Secretary, Department Of Urban
Administration And Development, Mantralaya, Mahanadi Bhawan, Atal
Nagar, Nava Raipur District Raipur Chhattisgarh
3. Raipur Development Authority Through Its Chief Executive Officer, New
Rajendra Nagar, Raipur, District Raipur Chhattisgarh
4. Collector Raipur, District Raipur Chhattisgarh
5. Sub-Divisional Officer (Revenue) Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Uttam Pandey, Advocate
For State	:	Ms. Abhyunnati Singh, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****15/11/2019**

1. The limited relief that the petitioner has sought for in the present writ
petition is for an appropriate direction to the respondents for fulfilling the
promise that was made at the time of acquiring of the land belonging to
the petitioner.

2. According to the petitioner the land measuring 0.790 hectare situated at Village Tikrapara was acquired by the Raipur Development Authority under Provisions of City Development Scheme and was later on known as Kamal Vihar Scheme. According to the petitioner as per the agreement of the acquired land of the petitioner, he was in turn to be allocated a separate land measuring 35% of the total land that was acquired of his. In terms of the said offer, an agreement was executed between the petitioner and Raipur Development Authority on 11.01.2014 and petitioner was offered 2979.625 Sq. meters of land in Sector 02 and plots were renumbered as A-40, A-41, A-42 and A-43. However, after the first agreement being executed the final determinative agreement has not been executed till date in spite of the fact that petitioner's land was acquired by the respondents more than five years back. Therefore, present writ petition has been filed seeking for appropriate direction to respondent No.3 to take appropriate steps for fulfilling the promise that was made at the first instance while acquiring the land of the petitioner. If not, at least returning back the land belonging to the petitioner which has been acquired.
3. Given the facts, let respondent No.3 or the concerned appropriate authority consider the grievance of the petitioner and take appropriate steps in terms of the agreement that was entered into between the parties at the time of acquisition of petitioner's property.
4. Let this exercise be completed within a period of three months from the date of receipt of copy of this order.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge