

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 4101 OF 2019**

- Hariram Markam, S/o Jagguram, aged about 45 years, R/o Village Jamgaon, Police Station- Narharpur, District North Bastar Kanker (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Revenue and Disaster Management Department, Mahanadi Bhawan, Mantralaya, New Raipur (CG)
2. The Collector, District North Bastar Kanker (CG)
3. The Sub Divisional Officer (Revenue), Kanker, District North Bastar Kanker
4. The Tahsildar, Narharpur, District North Bastar Kanker (CG)

... Respondents

For Petitioner	:	Mr. D.N. Prajapati, Advocate.
For Respondent-State	:	Mr. P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/11/2019**

1. The limited relief which the petitioner has sought for in the present writ petition is for an appropriate direction to the respondents to consider his case for grant of appropriate compensation and also for grant of appropriate substitute land against the house of the petitioner which has since been demolished treating him as an encroacher.
2. Contention of the counsel for the petitioner is that the State Government itself has framed a scheme for rehabilitation and, under the said scheme, the authorities concerned have to consider the case of such encroachers whose house/property is being demolished by providing suitable compensation and also by providing alternate land for settlement.
3. Perusal of record shows that the petitioner has not moved any application in this regard to any of the respondents herein.
4. Given the said facts, this Court is of the opinion that let the petitioner move appropriate representation to respondent no.2 within a period of fifteen days seeking for rehabilitation/compensation, as the case may be, under the scheme applicable, if any.
5. Subject to the petitioner making such a representation, respondent no.2 is expected to decide his claim and consider whether he is entitled for any benefit under any of the rehabilitation scheme applicable in respect of the petitioner or other similarly placed persons whose house/property stands demolished treating them as encroachers.

6. It is expected that respondent no.2 would take an appropriate decision at the earliest, preferably within a period of three months from the date of receipt of copy of representation.

7. The writ petition accordingly stands disposed of.

/Sharad/

Sd/-
(P. Sam Koshy)
JUDGE