

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4222 of 2019**

1. Mahendra Prasad Gupta S/o Shri Nathuni Prasad Gupta Aged About 57 Years R/o Sadakpara, Village Sonarpal, Post Sonarpal, Tahsil Bastar, District Bastar Chhattisgarh
2. Smt. Goma Bai Nayak W/o Shri Sharuram Nayak Aged About 69 Years R/o Banjara Para, Village Sonarpal, Post Sonarpal, Tahsil Bastar, District Bastar Chhattisgarh.
3. Smt. Shanti Bai Bafna W/o Shri Keval Chand Bafna Aged About 64 Years R/o Sadak Para, Village Sonarpal, Post Sonarpal, Tahsil Bastar, District Bastar Chhattisgarh.
4. Pradeep Kumar Biswas S/o Shri Radha Nath Biswas Aged About 47 Years R/o Sadakpara, Village Sonarpal, Post Sonarpal, Tahsil Bastar, District Bastar Chhattisgarh.
5. Jagdish Prasad Patel S/o Shri Ram Nihor Patel Aged About 45 Years R/o M.N.-54, Nh 30, Sadakpara, Village Sonarpal, Post Sonarpal, Tahsil Bastar, District Bastar Chhattisgarh.
6. Surendra Prasad Gupta S/o Shri Nathuni Prasad Gupta Aged About 55 Years R/o Sadakpara, Village Sonarpal, Post Sonarpal, Tahsil Bastar, District Bastar Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Ministry, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. National Highway Authority Of India Through Its Project Director, Project Execution Unit, National Highway No. 43 (N.R.R. 30), Dhamtari To Jagdalpur Section, House No. 5196, Behind Bti College, Shankar Nagar, Raipur, District Raipur Chhattisgarh.
3. The Commissioner Bastar Division, Jagdalpur, District Bastar Chhattisgarh.
4. The Collector District Bastar, Jagdalpur Chhattisgarh.
5. Competent Authority Cum Sub Divisional Officer (Revenue And Land Acquisition Officer), Bastar, District Bastar Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Alok Kumar Dewangan, Advocate
For State	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board**

25/11/2019

1. The present writ petition has been filed by the petitioners seeking for an appropriate direction to the respondents to consider the claim of the petitioners for grant of compensation in respect of the lands belonging to the petitioners, which have been acquired by the respondents for the purpose of widening and construction of bypass four lane road on N.H. No. 43 (new N.H. No.30) between Dhamtari-Jagdalpur section.
2. According to the petitioners, they have not received any compensation against the lands, which have been acquired by the respondents. According to the petitioners, this case is squarely covered by the judgment of the Division Bench of this Court in **WPC No. 1649/2017 (Smt. Anita Agrawal v. State of Chhattisgarh & Others)** and also the gazette notifications published by the State Government in this regard from time to time.
3. According to the petitioners, they have already made a representation to the respondents, which till date has not been finalized.
4. Given the aforesaid facts and circumstances of the case, subject to verification of facts, the writ petition stands disposed of directing the petitioners to file a fresh representation to the respondents No. 4 & 5 for considering the claim of the petitioners for compensation as per law applicable.
5. Let a fresh representation be made by the petitioners within a period of 3 weeks from the date of receipt of the copy of this order and the respondents in turn shall consider and decide the representation

within a further period of 4 months from the date of receipt of the representation from the petitioners.

6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved