

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.4450 of 2019

Chandrika S/o Shri Hemprasad Aged About 63 Years R/o Village Bayeng,
Block Raigarh, District Raigarh Chhattisgarh.

---Petitioner(s)

Versus

- 1.** State of Chhattisgarh Through Secretary, Department of Revenue Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
- 2.** State of Chhattisgarh, Through Secretary, Department of Public Work Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
- 3.** Collector Raigarh, District Raigarh Chhattisgarh.
- 4.** Sub Division Officer (R) Cum Land Acquisition Officer Raigarh, Block Raigarh, District - Raigarh Chhattisgarh.
- 5.** Sub Division Officer (Public Work Department) Sub Division Raigarh, District - Raigarh Chhattisgarh.

---Respondents

For Petitioner	:	Shri Jeet Patel, Advocate.
For State	:	Shri Ashutosh Mishra, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.12.2019

- 1.** The grievance of the petitioner in the present writ petition is the inaction on the part of the respondents in not paying the petitioner compensation against the land belonging to the petitioner which has been acquired for the purpose of construction of Chaple-Bayeng-Nandeli Road.
- 2.** According to the petitioner, the said property has been taken over/ acquired by the respondents under the Mutual Consent Land Purchasing Scheme, 2016. The further contention of the petitioner is that the respondents themselves had vide order dated 30.10.2019 amended the aforesaid scheme of 2016 and have ordered that the compensation has to be calculated applying the multiplier of 2 in the event the land situates in the rural area and multiplier of 4 in case if the land situates in the urban

area. According to the petitioner, the respondents have neither paid any compensation to the petitioner, nor have they properly assessed or quantified the actual compensation that the petitioner is entitled for.

3. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that the writ petition itself can be disposed of directing the respondents No.3 & 4 to immediately consider the claim of the petitioner, so far as grant of compensation to the petitioner against the land belonging to him, which has been acquired for construction of Chaple-Bayeng-Nandeli Road
4. The respondents are also expected to consider the claim of the petitioner in terms of the scheme applicable. It is expected that the authorities concerned would decide the same subject to the verification of the entire facts.
5. It shall be the responsibility of the petitioner to apprise the respondents No.3 to 4, so far as the order passed by this Court is concerned.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge