

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4439 of 2019**

Vijay Kumar Patel S/o Shri Babu Lal Patel, Aged About 40 Years R/o
Village Chaple, Tahsil Chaple, District Raigarh Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Sub Divisional Officer (Revenue)-Cum-Land Acquisition Officer, Tahsil Kharsia, District Raigarh Chhattisgarh
3. Chief Engineer National Highway Authority Raipur, Through Kharsia Division, District Raigarh Chhattisgarh
4. Collector, District Raigarh Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Jeet Patel, Advocate
For State	:	Mr. Ishan Verma, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/12/2019**

1. The grievance of the petitioner is that the present writ petition is for appropriate direction to the respondents to consider rehabilitation of the petitioner in terms of the Provisions of Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (For Short "the Act of 2013).
2. Contention of the petitioner is that the petitioner falls in the category of the affected family as defined under Section 3 (C) of the Act of 2013. According to the petitioner he has been running a garage for his livelihood at the place which is now being taken over by the respondents for widening of the national highway road at Village Chaple, Patwari Halka No.33, RNM & Tahsil Kharsia. According to the petitioner he has already approached respondent No.2 & 4 for appropriate relief in terms of

the Act of 2013 but till date respondents have not taken any decision on the said application/representation.

3. Given the aforesaid facts and circumstances of the case, let petitioner approach respondent No.2 & 4 afresh by making fresh representation within a period of 30 days from today in respect of his claim for either compensation or appropriate rehabilitation under any of the schemes applicable under which the petitioner can be rehabilitated subject to the verification of the credentials of the petitioner, particularly, in respect of his operation of the garage for the last more than 15 years at the said place.
4. Let respondent No.2 & 4 take an appropriate decision on the representation of the petitioner so made within a further period of four months from the date of receipt of fresh representation by the petitioner.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit