

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 338 of 2020

Gopal Prasad Gabel S/o Shri Goverdhan Prasad Aged About 72 Years R/o Masinyakala, Tehsil Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, New Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Cum - Prescribed Authority Land Acquisition, Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. The Executive Engineer Pwd, National Highway Division, Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For State	:	Mr. Mateen Siddiqui, Dy. AG

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

24.08.2020

1. The limited relief sought for by the petitioner in the present writ petition is for an appropriate direction to the Respondent No. 2 and 3 to consider the claim of the petitioner, so far as grant of compensation in respect of the land belonging to the petitioner is concerned, which has been acquired by the respondents.

2. According to the counsel for the petitioner initially the substantial portion of land belonging to the petitioner was acquired and for which he has also received the compensation. However, since the authorities ran short of land for the execution of the project, they have also acquired the remaining portion of the land belonging to the petitioners situated in Khasra No. 309/1 rakba 0.652 of which .105 (agricultural land irrigating with tube well) hectare land. The contention of the counsel for the petitioner is that for the said portion of the land subsequently acquired, they have not paid compensation and their application is still pending consideration before the Respondent No. 3 for a considerable period of time.
3. Given the said facts and circumstances of the case, this Court is of the opinion that since the fact stands undisputed by the petitioner, the land having been acquired by the respondents, the fact has to be verified as to whether the compensation for the acquired land has been paid to the petitioner or not.
4. Let the Respondent No. 2 and 3 take appropriate steps and on due verification of the fact, so far as the acquired portion of the land is concerned and also verifying the fact that, the compensation have infact been paid or not, if not necessary steps be taken at the earliest.
5. Let appropriate order be passed within a period of four months from the date of receipt of copy of this Order. With the aforesaid direction, the present Writ Petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge