

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 259 of 2020**

Mohan Koshle S/o Ghondul Aged About 65 Years Resident Of Village
Sendh, Tahsil Arang, District Raipur Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Housing And Environment, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
2. Collector Raipur, District Raipur Chhattisgarh
3. Naya Raipur Development Authority Through Its Chief Executive Officer, New Rajendra Nagar, In-Front Of Vijeta Complex R.D.A. Building Raipur, District Raipur Chhattisgarh
4. Land Acquisition Officer/sub Divisional Officer Tahsil Arang, Abhanpur, District Raipur Chhattisgarh
5. Commissioner Raipur, District Raipur Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Sushobhit Singh, Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/01/2020

Heard.

1. It is contended that against the order passed for acquisition of land on 20/11/2012 the same was subject of challenge in WPC No. 1886 of 2014 by the petitioner and others.
2. Subsequently the petitioner has got his name deleted from the WPC No. 1886 of 2014 which was allowed by this Court on 03/05/2019. 3. Learned counsel for the petitioner submits that the amount of award has not yet been disbursed, therefore, the petitioner is entitled to interest on the award amount under Section 34 of the Land Acquisition Act, 1894.

3. Learned counsel would draw attention of the Court to the law laid down by the Supreme Court in the matter of **Union of India and another Vs.Pushpavathi and others**, reported in (2018) 3 SCC 28, to highlight that the writ petition is maintainable to claim interest under Section 34 of the Act, 1894.
4. Considering the entire facts situation of the case and the judgment rendered by the Hon'ble Supreme Court, the writ petition is disposed of with direction that in the event the petitioner moves a representation before the respondent Nos. 2 & 3 claiming the interest for the period of passing of the award and its disbursal, within a period of 4 weeks from today, the said respondent shall consider and decide the representation at the earliest, preferably within a period of 4 months thereafter.

Sd/-
(P. Sam Koshy)
Judge

Rohit