

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 216 of 2020**

Shyama Bai W/o Anand Ram, Aged About 53 Years, Presently R/o
Noudha Chowk Lodhiya, Kharsiya, District – Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, Department Of Energy, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District – Raipur, Chhattisgarh
2. State Of Chhattisgarh Through - The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District – Raipur, Chhattisgarh
3. Union Of India, Through - Secretary, Ministry Of Coal - New Delhi
4. Chhattisgarh State Power Generation Company Limited, Through Its Managing Director, Daganiya, Raipur, District Raipur, Chhattisgarh
5. Executive Engineer, Chhattisgarh State Power Generation Company Limited, Gharghoda, District Raigarh, Chhattisgarh
6. Collector, Raigarh, District Raigarh, Chhattisgarh
7. Sub Divisional Officer (Revenue) / Competent Authority, Gharghoda, District – Raigarh, Chhattisgarh
8. Shyam Kumar S/o Pillal Kalar, R/o Village Khamhariya, Tahsil Tamnar, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Syed Majid Ali, Advocate
For State	:	Ms. Sunita Jain, Govt. Advocate

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

28.01.2020

1. Counsel for the petitioner makes an oral request for making correction in the writ petition to the extent that the provision of Chhattisgarh Land Revenue Code has been wrongly quoted as 274 instead of 247.
2. The oral request is accepted.
3. Let necessary correction be carried out during the course of the day itself.
4. During the course of hearing State counsel produced a document passed by the Sub Divisional Officer (Revenue) Gharghoda dated 17.09.2019 whereby the SDO (Revenue) has instructed the Central Bank, Gharghoda to stop the further releasing of compensation in respect of the land belonging to the petitioner and the respondent no.8.
5. Perusal of the record would show that the said order by the SDO (Revenue) has been passed at the behest of an application filed by the petitioner herself. Further, as per the submission made by the counsel for the petitioner, there is already a civil suit for partition pending between the petitioner and the respondent no.8 who are brother and sister in relation.
6. Given the said facts and circumstances of the case and also taking into consideration the fact that the respondent State Authorities themselves have instructed the Bank authorities not to release the further compensation to the respondent no.8 and also the fact that the Civil Suit is pending before the Civil Court at Gharghoda, this Court is of the opinion that any further relief that the petitioner intends to seek, it will

be open to the petitioner to claim for such reliefs from the said Civil Court where the matter is pending.

7. Accordingly, the writ petition stands disposed off.

**Sd/-
P. Sam Koshy
Judge**

Khatai