

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 211 OF 2020**

1. Nanhu Ram Agrawal, S/o Late Manager Ram Agrawal, aged about 64 years, R/o A.E.-5, Kundla, Vasundhara City, Kharsiya Road, Ambikapur, District Surguja (CG)
2. Kamla Devi Agrawal, W/o Rajesh Agrawal, aged about 50 years, R/o A.E.-5, Kundla, Vasundhara City, Kharsiya Road, Ambikapur, District Surguja (CG)

... Petitioners**versus**

1. State of Chhattisgarh, through its Secretary, Revenue Department, Mantralaya, Atal Nagar, Raipur, District Raipur (CG)
2. The Collector, Surguja, District Surguja (CG)
3. The Sub Divisional Officer (Revenue) cum Prescribed Authority, Land Acquisition, Ambikapur, District Surguja (CG)
4. The Chief Engineer/Executive Engineer, Public Works Department, National Highway Area, Pensionbada, Raipur, District Raipur (CG)
5. The Upper Commissioner, Surguja Division, Ambikapur, District Surguja (CG)

... Respondents

For Petitioners	:	Mr. Pushpendra Kumar Patel, Advocate.
For Respondent-State	:	Mr. Somkant Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/01/2020**

1. The relief sought for by the petitioners through the present writ petition is for issuance of an appropriate direction to respondents no. 2 to 4 to take appropriate steps for ensuring compliance of the order passed by respondent no.5 *i.e.* the Additional Commissioner, Surguja Division, Ambikapur, vide his order dated 27.9.2019 passed in case no. 330/A-82/2018-19.
2. Contention of the learned counsel for the petitioners is that after the respondent no.3 had acquired the property of the petitioners, they were paid compensation at a belated stage and therefore the respondent no.5 vide his order dated 27.9.2019 (Annexure P-1) had ordered for grant of interest on the said belated release of compensation to the petitioners. Learned counsel for the petitioners submits that though more than three months have passed, the respondents have till date not honoured the said order and therefore an appropriate direction be issued in this regard.

3. Learned State Counsel at this juncture submits that, let the petitioners approach the respondents no. 2 to 4 by way of a fresh representation which shall be considered and decided at the earliest.

4. Given the said facts and circumstances of the case, this Court is of the opinion that the present writ petition can be disposed of directing the petitioners to file a fresh claim before respondents no. 2 to 4 within a period of fifteen days from today and the respondents no. 2 to 4 in turn shall ensure compliance of the order dated 27.9.2019 unless the said order is under challenge before any other forum.

5. Let the respondents no. 2 to 4 take a decision on the claim of the petitioners within a further period of 90 days from the date of receipt of representation of the petitioners.

6. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

/sharad/