

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.457 of 2020

Aditya Real Estates And Developer Pvt. Ltd. Through Its Director Sanjesh Gupta, Aged About 31 Years, S/o Sajjan Kumar Gupta, R/o Choubey Colony, Thana Saraswati Nagar, District Raipur, Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Its Secretary, Public Works Department Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. The Collector Raipur, Chhattisgarh.
3. Sub Divisional Officer (Revenue) & Land Acquisition Officer Cum Competent Officer (Land Acquisition), Raipur, Chhattisgarh.
4. Executive Engineer Public Works Department Civil Lines, Raipur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Parag Kotecha, Advocate.
For State	:	Shri Vivek Ranjan Tiwari, Addl. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03.02.2020

1. The grievance of the petitioner in this petition is that the petitioner's land measuring 252 sq. feet has been taken over by the respondents for the purpose of construction of road and drainage.
2. According to the petitioner, the government had offered for payment of compensation @ 1.5 times FAR which the petitioner has not accepted and had surrendered the same and demanded for compensation as per the government rates prevailing along with rehabilitation compensation. According to the petitioner, he has already sent his proposal to the respondent No.2 and which is still pending consideration before the respondent No.2. His claim before the respondent No.2 is for an appropriate compensation in terms of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.

3. The limited relief sought for by the petitioner is for a direction to the respondent No.2 to take an appropriate decision on his representation which he has made in this regard to the respondent No.2.
4. To this limited relief sought for by the petitioner, the State counsel does not have any objection.
5. Accordingly, the writ petition stands disposed of with a direction to the respondent No.2 to take a decision on the representation of the petitioner in respect of the alleged land belonging to the petitioner which has been taken over by the State authorities for construction of road and drainage, and an appropriate order be passed at the earliest preferably within a period of four months from the date of receipt of copy of this order.
6. It shall be the responsibility of the petitioner to apprise the respondent No.2 so far as order passed by this court is concerned.
7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder