

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 825 of 2020

1. Parmanand S/o Late Puniram Aged About 58 Years R/o Village Barhagura, Tehsil Dabhra, District Janjgir-Champa, Chhattisgarh
2. Ramanand S/o Late Puniram Aged About 55 Years R/o Village Barhagura, Tehsil Dabhra, District Janjgir-Champa, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh The Secretary, Revenue And Dissaster Management, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, Chhattisgarh
2. Collector Janjgir-Champa, District- Janjgir- Champa, Chhattisgarh
3. Land Acquisition Officer-Cum-Sub Divisional Officer (Revenue) Dabhra District- Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner	:	None
For State	:	Mr. Shubham Verma, PL

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

05/03/2020

1. The relief sought for in the present writ petition is for grant of interest on the compensation paid to the petitioner in respect of land which was acquired by the respondents.
2. According to the petitioner the award by the Land Acquisition Officer was passed as early as on 22.11.2018. However, the amount of compensation quantified by the respondents have only been paid to him on 20.12.2019. Thus, the petitioner is entitled for interest for the delayed payment of compensation. At this juncture, it would be relevant to refer to Section 80 A of the Right to Fair Compensation

and Transparency in Land Acquisition Rehabilitation, Settlement Act, 2013.

3. Section 80 of the Act of 2013 reads as under :-

“80. Payment of interest.- When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of nine per cent,per annum from the time of so taking possession until it shall have been so paid or deposited:

Provided that if such compensation or any part thereof is not paid or deposited within a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent, per annum shall be payable from the date of expiry of the said period of one year on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry.”

4. Considering the fact that award was passed in November, 2018 and compensation was paid in December, 2019, this Court is of the opinion that let petitioner approach respondent No.3 for claiming interest on the said amount in terms of Section 80 of the Act of 2013. Let petitioner file an appropriate application before respondent No.3 in respect of his claim for interest and respondent No.3 in turn shall decide the said representation in accordance with law at the earliest preferably within a period of four months from the date of receipt of representation by the petitioner in this regard.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge