

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1303 of 2020**

Nagraju Kapse S/o Shri Narayan Kapse Andani Aged About 65 Years
Andani, R/o Fafadih, Raipur, District Raipur, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh, Secretary Public Works Department Mahanadi Bhavan Raipur, Chhattisgarh
2. Executive Engineer Public Works Department, Vidhan Sabha Sub-Division Raipur, Chhattisgarh
3. The Collector Raipur, District Raipur, Chhattisgarh
4. The Land Acquisition Officer Cum Sub Divisional Officer (Rev.) Raipur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Kishan Lal Sahu, Advocate
For State	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.06.2020**

1. The case of the petitioner is that he has a land situated in village Giroud, P.H. No. 98, R.N.M. Dharsiwan, Tahsil & District Raipur. The land situates in Khasra No. 509/3. According to the petitioner, his total land is 0.121 hectare of which for the purpose of construction and widening of road the respondent no.4 had acquired 0.009 hectare land for which compensation also has been paid to the petitioner. The petitioner now submits that he has recently come to know that the entire land belonging to him measuring 0.121 hectare stands registered in the name of respondent no.2 though it is only 0.009 hectare land

which was acquired.

2. The contention of the petitioner is that immediately he had moved a representation in this regard before the Collector who recommended the case and forwarded the copy to the respondent no.4 to take appropriate steps. The respondent no.4 had further called upon the respondent no.2 to produce the entire records and to show how his name has been entered for the entire land measuring 0.121 hectare in Khasra No. 509/3 which otherwise was owned by the petitioner. According to the petitioner, for want of proper response from the office of the respondent no.2, the proceeding could not be concluded which has led to the filing of the present writ petition. Hence, prayed for an appropriate direction to the respondents 2 & 4 to conclude the proceeding at the earliest.
3. The request made by the counsel for the petitioner for an appropriate direction to the respondents 2 and 4 to take an appropriate early decision is not opposed by the State counsel though she submits that it needs verification from the award passed on 15.03.2007 and also from the revenue records.
4. Given the said submissions made by the counsel appearing on either side, this Court is of the opinion that the writ petition can be disposed of directing the respondents 2 & 4 to take an appropriate decision at the earliest particularly the respondent no.2 who has to produce all the relevant records before the respondent no.4 to show as to how his name has been registered for the entire area of 0.121 hectare land when as per the petitioner, the land which has been acquired and the compensation paid is only for 0.009 hectare land.

5. Let the respondents 2 & 4 take necessary steps and the matter be concluded at the earliest preferably within an outer limit of 4 months from the date of receipt of copy of this order.
6. The writ petition accordingly stands disposed of.

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

Jyotijha