

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1368 of 2020**

1. Jitendra Tiwari S/o Late Khushilal Tiwari, Aged About 50 Years, R/o Near Anurag School, Chakarbhatha Camp, Ward No. 7, Chakarbhatha, District Bilaspur, Chhattisgarh
2. Virendra Tiwari S/o Late Khushilal Tiwari, Aged About 55 Years, R/o Near Anurag School, Chakarbhatha Camp, Ward No. 7, Chakarbhatha, District Bilaspur, Chhattisgarh
3. Smt. Radha Tiwari W/o Lt.. Khushilal Tiwari, Aged About 70 Years, R/o Near Anurag School, Chakarbhatha Camp, Ward No. 7, Chakarbhatha, District Bilaspur, Chhattisgarh
4. Smt. Savita Tiwari W/o Late Santosh Tiwari, Aged About 45 Years, R/o Near Anurag School, Chakarbhatha Camp, Ward No. 7, Chakarbhatha, District Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh
2. The Collector Bilaspur, District Bilaspur, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Masturi, District Bilaspur Chhattisgarh
4. The Chief Engineer, Public Works Department, Bilaspur, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Ramakant Pandey, Advocate
For State	:	Mr. Jitedndra Pali, Dy. A.G.

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

15.07.2020

1. The present writ petition has been filed against the action on the part of the respondent-authorities whereby the petitioners have not been paid any compensation under the Land Acquisition Law for their 0.11 acres of land acquired by the State for construction of Beltara-Jayramnagar bypass road.
2. According to the petitioners, for the purpose of construction and widening of the said road, the respondent authorities have acquired around 0.11 acres land belonging to the petitioners situated at village Gataura, P.H. No.20, Tahsil Masturi, District Bilaspur in Khasra No. 2744. However, the petitioners have not been paid any compensation till date for the said acquisition of land.
3. The limited relief that the petitioners have sought is for a direction to the respondents to immediately consider their claim and if they are entitled for compensation of the said land, the same may be released to them at the earliest.
4. This Court has no hesitation in holding that if the respondent authorities have acquired land belonging to the petitioners for the purpose of construction of Beltara-Jayramnagar bypass road, there is no reason why the petitioners should not be given compensation for the said land which has been acquired by the State.
5. Given the nature of dispute and the relief sought for, this Court is of the opinion that the matter can be disposed of with a direction to the respondents 2 & 3 to immediately consider the claim of the petitioners

for compensation under the Land Acquisition Laws at the earliest preferably within a period of 120 days from the date of receipt of copy of this order. It is ordered accordingly.

6. Let the petitioners apprise the respondents 2 & 3 so far as the order passed by this Court is concerned.
7. The writ petition accordingly stands disposed of.

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