

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1464 of 2020**

1. Devendra Kumar Thapa S/o Late Shri Rajendra Kumar Thapa, Aged About 53 Years
2. Asim (Ashish) Kumar Thapa, S/o Late Shri Rajendra Kumar Thapa, Aged About 50 Years
3. Smt. Chaity Bai Wd/o Late Shri Rajendra Kumar Thapa, Aged About 72 Years

All of the petitioners are R/o Barpali Chowk, C.S.E.B. Road Champa Tahsil Champa, District Janjgir Champa Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through Secretary, Public Works Department Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur Chhattisgarh
2. The Collector, District Janjgir Champa Chhattisgarh
3. The Sub Divisional Officer (Revenue) Champa, District Janjgir Champa Chhattisgarh
4. The Tahsildar, Champa, District Janjgir Champa Chhattisgarh
5. The Sub Divisional Officer, Public Works Department (I/R), Sub Division Champa, District Janjgir Champa Chhattisgarh
6. The Executive Engineer, Public Works Department Champa, District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Vineet Kumar Pandey, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G._

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

10/08/2020

1. The grievance of the petitioners in the present writ petition is that the respondents without following the due process of law have entered upon the private property of the petitioners situated in khasra No. 204 & 206 measuring around 12 decimal of land situated at Jagdalla, under P.H. No. 02, Tehsil Champa,

District Janjgir-Champa, Chhattisgarh for the purpose of construction of government quarters.

2. According to the petitioners, the said property has been demarcated by the State Authorities on a couple of occasions and on all the occasions, it has been established that the respondents authorities have in the course of construction of the government quarters have entered upon the petitioners' private property. It is also an admitted fact that no acquisition proceedings or compensation was paid to the petitioners at any point of time. The District Collector has meanwhile already instructed the Sub-Divisional Officer (Revenue) Tehsil Champa for taking appropriate proceedings in accordance with law in this regard. Documents also reveal that the PWD authorities have also quantified the compensation payable to the petitioners. However, thereafter there is no further developments and the petitioner is being denied of his rightful claim of compensation.
3. Given the entire facts and circumstances of the case, let the respondents No.2 & 3 take an appropriate decision at the earliest deciding as to the compensation which is payable to the petitioners and the compensation part be paid to the petitioners after due verification of the said property belonging to the petitioner, which has been taken over by the State Authorities for construction of Government quarters.

4. Let the compensation payable be paid to the petitioners within an outer limit of 120 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved