

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1652 of 2020**

1. Om Shankar Jaiswal S/o Sunderlal Jaiswal Aged About 45 Years R/o Beltara, Police Station Ratanpur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Sanju Jaiswal D/o Sunderlal Jaiswal Aged About 48 Years W/o Sandeep Jaiswal, R/o Saraswati Typing Centre, Badi Bazaar, Chirimiri, District Korla Chhattisgarh., District : Korla (Baikunthpur), Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Land Acquisition Officer / Sub Divisional Officer (Revenue) Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Kanhaiya Jaiswal S/o Sunderlal Jaiswal Aged About 68 Years R/o Beltara, Police Station Ratanpur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Shail Jaiswal D/o Sundarlal Jaiswal Aged About 58 Years W/o Sunil Jaiswal, R/o Gopal Bag, House No. 263, Near Bsnl Office, Jabalpur, District Jabalpur Madhya Pradesh., District : Jabalpur, Madhya Pradesh

---- Respondents

For Petitioner	:	Mr. Gary Mukhopadhyay, Advocate
For State/Res. 1 to 3	:	Mr. Anand Verma, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/08/2020**

1. The present writ petition has been filed by the petitioners wherein the disbursement of compensation against the land belonging to the

petitioners along with respondent No.4 & 5 have not been disbursed, though the land was acquired way back in the year 2018.

2. According to the petitioners they are brothers and sisters of respondent No.4 & 5. According to petitioners, their ancestral property jointly owned by all of them was acquired under Section 3A of the National Highways Act, 1957 for construction and widening of the National Highway No.130 at Village Beltara. According to the petitioners the compensation for the said land was prepared and which reflects the name of the petitioners as also the respondent No.4 & 5 and the amount of compensation stands deposited before the Land Acquisition Officer. However, till date disbursement has not been made and there is all probability that petitioners may lose substantial interest on the said amount which is lying with the Acquisition Officer if it is not promptly released by him.
3. Counsel for the State submits that there appears to be some dispute between the brothers and sisters which is prolonging the disbursement part. According to the counsel for State it is because of the dispute prolonging between the family members, the compensation part could not be released to the claimants.
4. Given the nature of dispute that petitioners has raised and prayer that is for, seeking early disbursement of the compensation, Land Acquisition Officer respondent No.3 is directed to ensure prompt action to be taken for the apportionment of the compensation to be made between the family members and compensation be released at the earliest in accordance with law, at least so far as the share that would fall upon the petitioners from the said compensation.

5. Let this exercise be concluded by the respondent No.3 in accordance with law at the earliest preferably within a period of three months from the date of receipt of copy of this order.
6. The writ petition stands accordingly disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit