

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1618 of 2020**

Smt. Ramkali Agrawal W/o Shri Lekhram Agrawal, Aged About 86 Years
R/o Ward No. 17, Bemetara, District Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through Secretary Of Ministry Of Road, Transport And Highways, Government Of India, Transport Bhawan- I, Parliament Street, New Delhi- 110001
2. National Highway Authority Of India, Through Its Chief Engineer, National Highway No. 12-A (N.R.R. No.-30), Raipur Section, District Raipur, Chhattisgarh
3. State Of Chhattisgarh, Through Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh
4. The Collector, Bemetara, District Bemetara Chhattisgarh
5. Sub Divisional Officer (Revenue) Cum Land Acquisition Officer, Bemetara, District Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Anish Tiwari, Advocate
For State	:	Mr. Mateen Siddiqui, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24.08.2020**

1. The only grievance of the petitioner is that the respondents for the purpose of construction and widening of road have acquired agricultural land of the petitioner situated in Khasra Nos. 235/1 & 235/2

so also Khasra Nos. 236/2 236/3. Though the acquisition proceeding was carried out in the year 2015-16, till date the petitioner has not been received any compensation against the said land acquired by the respondents.

2. State counsel however submits that there is certain property particularly the property which situates in Khasra Nos. 236/2 & 236/3 prima facie does not seem to be notified for acquisition or at least, the said property is not reflected in the final award passed by the State authorities.
3. Be that as it may, in case the property exclusively owned by the petitioner has been acquired by the respondents, there is no reason why the petitioner would not be entitled for compensation for the said land. However, it needs to be verified whether and to what extent the acquisition has been made. It is a matter of verification of records which can be done by the competent authorities alone.
4. Given the facts, let the petitioner approach the respondent no.5 by moving an appropriate application and bringing to the notice of the respondent no.5 in respect of the petitioner's property which has been acquired and which is reflected in the award and the notification published under the National Highways Act, 1956.
5. Upon due verification, the respondent no.5 shall pass an appropriate order ensuring that in case the petitioner's property has been acquired, she shall be paid compensation accordingly. In case it has not been acquired, the petitioner be intimated the same that her property has not been acquired.
6. Let this proceeding be concluded within a period of 120 days from the

date the petitioner moves an application before the respondent no.5 afresh in addition to any application that she has already made.

7. The writ petition accordingly stands disposed of.

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