

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2035 of 2020

1. Shankar Lal Mathur, S/o Late Chaindas Mathur, Aged About 49 Years, Resident Of Village Barduli, Post Amora, Tashsil Pathariya, District : Mungeli, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through It's The Secretary Panchayat And Rural Development Mahanadi Bhawan New Raipur District : Raipur, Chhattisgarh
2. The Collector Mungeli District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
3. The Sub Divisional Officer (Rev.) Tahsil Pathariya District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
4. The Tahsildar Tahsil Pathariya, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
5. The Chief Executive Engineer Chhattisgarh Rural Road Development Authority, Indrawati Bhawan New Raipur, District : Raipur, Chhattisgarh
6. The Executive Engineer Chhattisgarh Rural Road Development Agency Project Unit Mungeli District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
7. The Sub Divisional Officer (Res) Janpad Panchayat Pathariya District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
8. The Sarpanch Gram Panchayat Barduli , Janpad Panchayat Pahariya, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

----- Respondents

For Petitioner	:	Mr. Ravi Maheshwari, Advocate.
For State/Resp. 1 to 7	:	Mr. Sudeep Verma, Dy. G. A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.09.2020

1. The grievance of the petitioner is in respect of the respondents

encroaching upon the private property of the petitioner situated in Khasra No. 231/1 at Village: Barduli, Tahsil: Pathariya, District: Mungeli, (C.G.)

2. According to the counsel for the petitioner, the respondents have deviated the construction of road and entered upon the petitioner's property for the purpose of constructing Motimpur to Kharijhity Road. However, no compensation has been paid to the petitioner till date. The counsel for the petitioner submits that the Gram Panchayat is also of the view that the petitioner can be suitably compensated by providing alternative government land adjacent to the said property but even that has not been done.
3. Given the said facts and circumstances of the case, let the petitioner approach before the Respondent No. 2 and 5 by moving a fresh representation in addition to his representation that he has made till now and the said representation shall be decided by the concerned authorities within a period of ninety days from the date of receipt of the representation. The authorities shall verify and scrutinise the claim of the petitioner and in case, if it is found that the petitioner's private property has been occupied for the purpose of construction of road then steps should be promptly taken for compensating him in accordance with law either by releasing monetary compensation in accordance to law or by granting land in-lieu of the land taken by the Department.
4. With the aforesaid observation, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge