

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2452 of 2020**

1. Hargovind S/o Late Shri Desharam Aged About 64 Years
2. Gopeshwar S/o Late Shri Derharam Aged About 60 Years
3. Rameshwari S/o Late Shri Derharam Aged About 55 Years
4. Ravipal S/o Derharam Aged About 50 Years
5. Rajesh S/o Derharam Aged About 45 Years

All are R/o Village Pendri, Tahsil Masturi, District Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary Department Of Water Resource, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. Collector Bilaspur District Bilaspur, Chhattisgarh
3. Land Acquisition Officer/sub Divisional Officer (Revenue) Masturi, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. B.L. Sahu, Advocate
For State	:	Mr. Raghvendra Verma, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/10/2020**

1. The present writ petition has been filed by the petitioners being dissatisfied with the amount of compensation paid in respect of the land of the petitioner which was acquired for the purpose of construction of the canal system for the "Paraghat Feeder Diversion Plan".
2. According to the petitioners, their land situates at khasra No. 139 at village Hirri, Patwari Halka No. 29, Tehsil Masturi, District Bilaspur measuring 0.20 acres. The said property was acquired by the State

Government for the aforementioned project. The petitioners have been paid a compensation of only Rs.3 lakhs as per the award dated 26.05.2018. According to the petitioners, the compensation seems to have been determined applying the multiplier of 1, which is improper as under the notification issued by the Central Government, the multiplier to be applied is that of 2 and in the process the petitioners would have got double the amount of what they have now been paid.

3. Mr. Raghvendra Verma, the counsel appearing for the State submits that let the petitioners approach the State Authorities in accordance with law and the same shall be decided at the earliest.
4. In the light of the submission made by the State counsel, the writ petition at this juncture stands disposed of directing the petitioners to move an appropriate application under Section 64 of the **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013** along with an application for condonation of delay duly explaining the reason for not filing the application within the stipulated period and upon such application being filed, the respondent No.2 is expected to take a decision in accordance with the provisions of the Act of 2013 at the earliest within a period of 90 days from the date the petitioners move an application.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge