

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(C) No. 2414 of 2020**

1. Satish Agrawal S/o Late Shri Omprakash Agrawal Aged About 52 Years R/o Bustand Korba, Tehsil And District Korba Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Revenue, Mahanadi Bhawan, Mantralaya, Naya Raipur, Mandir Hasod, District Raipur Chhattisgarh.
2. Sub Divisional Officer (Revenue) Korba, District Korba Chhattisgarh.,
3. National Highway Authority Through Its Project Director Officer, Project Office Bilaspur, Chhattisgarh.
4. Deepak S/o Shri Shiv Shankar Aged About 41 Years Caste - Agrawal, R/o Sitamadi, Korba, Tehsil And District Korba Chhattisgarh.

---- **Respondents**

For Petitioner	: Mr. P. Acharya, Adv.
For State	: Mr. Anand Verma, Dy. G.A.
For Respondent No. 3	: Mr. Ramakant Mishra, Asstt. S.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19.10.2020**

1. Counsel for the petitioner submits that the address of the respondent No. 2 has been wrongly reflected in the cause-title and makes an oral request for amending the cause-title suitably.
2. The oral request of the petitioner is accepted, let necessary amendment to the address of the respondent No. 2 be made during the course of day itself.
3. The grievance of the petitioner in the writ petition is the inaction on the part of the respondent No. 2 in not taking a decision on the objection/representation that the petitioner has filed before the respondent No. 2 in respect of the acquisition of land of the petitioner

for the purpose of construction of the National Highway 149 B Champa-Korba-Churri-Katghora Road.

4. The contention of the petitioner is that he is the registered owner of an agricultural land situated in Khasra No. 884, 891, 801/2. According to the counsel for the petitioner, petitioner came in possession of the said land pursuant to a sale deed executed as early as on 16.06.2000. According to the Petitioner, after the acquisition proceedings were over the name of the petitioner was not reflected as the beneficiary against the said land for receiving the compensation and the beneficiary was shown to be the original owner from whom the petitioner had purchased the said land way back in the year 2000 itself. It is in this context that the petitioner has preferred a representation/objection before the respondent No. 2 which is pending till now.
5. The learned State Counsel submits that the Respondent no.2 may be directed to decide the representation/objection of the petitioner at the earliest.
6. Learned ASG submits that in the instant case, it appears that the diversion of the said property was got done only on 18.06.2020 i.e. much after the property was acquired and the compensation if at all payable to the petitioner will be only on the status of the property as it stood on the date when the award was passed under the National Highway Act.
7. Given the said submission by the counsel for the parties, more particularly the statement made by the learned State counsel that the

writ petition be disposed of directing the respondent No. 2 to take a decision at the earliest. Accordingly, the writ petition at this juncture stands disposed of directing the respondent No. 2 to take a decision on the representation/objection of the petitioner in accordance with the provisions of the National Highway Act at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

8. That, in case, if the amount of compensation has not been released to the respondent No. 4, let the amount be not disbursed to the respondent No. 4, till the representation/objection of the petitioner is decided by the respondent No. 2.
9. It is made clear that this Court has not expressed any opinion on the merits of the case, the claim of the petitioner shall be decided purely in accordance with the provisions of law.
10. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge