

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 2763 OF 2020**

- Smt. Anita Singh W/o Shri Ramesh Chandra Singh Aged About 47 Years
R/o Vill- Banjari, Post Jevra, P.S. And Tah. Sarangarh, Dist- Raigarh, Chhattisgarh

... Petitioner**Versus**

1. State Of Chhattisgarh Through- Secretary Revenue And Disaster Management Department, Mahanadi Bhawan, New Raipur, Raipur, Chhattisgarh
2. Collector, Janjgir Dist.- Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue)/ Land Acquisition Officer Dabhra, Dist- Janjgir-Champa, Chhattisgarh
4. Teeka Ram Dansena S/o Late Sunder Lal Dansena Aged About 55 Years
R/o Village Chandrapur, Post Officer Road, Chandrapur, Dist.- Janjgir-Champa, Chhattisgarh

... Respondents

For Petitioner	:	Mr. Ravindra Sharma, Advocate.
For Respondents/State	:	Mr. Siddharth Dubey, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/11/2020**

1. Grievance of the petitioner in the present writ petition is the notice (Annexure P-7) issued by the SDO (Revenue) to the petitioner to submit her explanation till 28.10.2020
2. Contention of the counsel for the petitioner is that the said notice issued by the SDO firstly is without jurisdiction for the reason that the matter already stands pending consideration before the Tribunal under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "the Act of 2013"). Further contention of the counsel for the petitioner is that, this Court vide its order dated 1.9.2020 in WPC No. 1829 of 2020 has directed the SDO to consider and decide the objections of the petitioner and to proceed further. However, ignoring the directions given by this Court, the authorities have under the garb of directions given by this Court initiated proceedings and are trying to disbursed the amount to the private respondent.
3. Given the fact that Annexure P-7 is only a notice calling explanation of petitioner and according to petitioner she has already tendered her explanation

to the SDO, this Court is of the opinion that it would not be proper at this juncture to interfere with the matter.

4. The present writ petition accordingly is being disposed of directing the SDO to take into consideration the objections that the petitioner has filed and to decide all those objections before proceeding further with the matter and shall proceed further only after deciding the objections that the petitioner has raised. While proceeding further the SDO shall also ensure that the petitioner in the earlier writ petition, namely Teeka Ram Dansena, also shall be given a fair and reasonable opportunity to defend his case.

5. Writ Petition accordingly stands disposed of with the aforesaid direction.

/sharad/

**Sd/-
(P. Sam Koshy)
JUDGE**