

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2925 of 2019**

Manharan S/o Late Shri Khilawan Aged About 55 Years R/o Village Temri,
Tahsil Nawagarh, Police Station Nandghat, District - Bemetara,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Housing And Environment Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District - Raipur, Chhattisgarh
2. Department Of Agricultural And Animal Husbandry Through Secretary, Mantralaya Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. National Highway Authority Of India Project Implementation Unit, Shankar Nagar, Raipur, District Raipur, Chhattisgarh
4. District Collector Collectorate, Bemetara, Chhattisgarh
5. Naya Raipur Development Authority Through Its Chief Executive Officer, New Rajendra Nagar, Infront Of Vijeta Complex, R.D.A. Building, Raipur, Chhattisgarh
6. Land Acquisition Officer / Sub Divisional Officer Tahsil Bemetara, District Bemetara, Chhattisgarh
7. Commissioner Bemetara, District Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Gajendra Sahu, Advocate
For State	:	Mr. Anshuman Shrivastava, PL

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

24/02/2020

1. The limited relief that the petitioner has sought for in the present writ petition is for grant of interest on the compensation paid to the petitioner on the land which has been acquired by the respondents under the Land Acquisition Act, 1894.

2. Fact of the case is that the petitioner on an earlier occasion had filed the writ petition i.e. WPC 486/2018 which got disposed of on 22.02.2018 directing the petitioner to either jointly move an application releasing of compensation or file an application by way of one person duly authorized by other claimants. Subsequently, the petitioner has moved an application which was allowed and compensation amount was released to the petitioner only on 13.04.2018.
3. Counsel for the petitioner submits that since the land was acquired long back the petitioner should had been further compensated by way of interest on the said amount as per Section 34 of the Act of 1894.
4. Learned counsel would draw attention of the Court to the law laid down by the Supreme Court in the matter of **Union of India and another Vs. Pushpavathi and others, reported in (2018) 3 SCC 28**, to highlight that the writ petition is maintainable to claim interest under Section 34 of the Act, 1894.
5. Considering the entire facts situation of the case and the judgment rendered by the Hon'ble Supreme Court, the writ petition is disposed of with direction that in the event the petitioner moves a representation before the respondent Nos. 2 & 3 claiming interest for the period of passing of the award till disbursement, within a period of 4 weeks from today, the said respondent shall consider and decide the representation at the earliest, preferably within a period of 4 months thereafter.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge