

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 606 of 2021

Upasulal S/o Late Suroti, Aged About 35 Years R/o Village
Barhaguda Tahsil Dabhra District - Janjgir - Champa
Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary Revenue And
Disaster Management, Mahanadi Bhawan, Mantralaya, Atal
Nagar Chhattisgarh., Chhattisgarh
2. Collector Janjgir - Champa, District - Janjgir - Champa
Chhattisgarh.,
3. Land Acquisition Officer- Cum- Sub Divisional Officer
(Revenue) Dabhara, District - Janjgir Champa Chhattisgarh.
--- **Respondents**

For the applicant	:	Mr. Kamal Kishore Patel Advocate
For the State	:	Mr. Gagan Tiwari, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.02.2021

1. The limited grievance that the petitioner has raised in the
present writ petition is for grant of interest on the delayed
payment of compensation paid to the petitioner under the
“Right to Fair Compensation and Transparency of Land
Acquisition, Rehabilitation and Resettlement Act of 2013”.
2. According to the petitioner, the lands belonging to the
petitioners were acquired in the month of November, 2018
and the compensation amount for the said land was paid
only in June, 2019 i.e., after a period of more than six
months. According to the petitioner, he is entitled for the
interest on the said amount as is envisaged under Section 80
of the aforementioned Act of 2013.
3. Section 80 of the Act of 2013 reads as under :

“80. Payment of interest.- When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of nine per cent, per annum from the time of so taking possession until it shall have been so paid or deposited.

Provided that if such compensation or any part thereof is not paid or deposited within a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent, per annum shall be payable from the date of expiry of the said period of one year on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry”.

4. Considering the aforesaid statutory provisions, let the petitioner approach respondents 2 & 3, so far as his claim for interest is concerned, and the respondents 2 & 3 in turn shall consider and decide the claim in accordance with law under which the acquisition proceedings were drawn at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order.
5. The directions given by this Court would be subject to the verification of fact by the authorities concerned so far as the entitlement of the compensation and interest to the petitioner are concerned.
6. With the above direction/observation, this writ petition stands disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**