

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 437 of 2021

- Smt. Radha Bai D/o Late Sobhai Suryavbanshi Aged About 70 Years R/o Village Bahtarai, Tahsil Takhatpur, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Revenue Mantralaya, Naya Raipur, Raipur District Raipur Chhattisgarh.
2. Collector Cum Officiating Dy. Secretary (In Land Acquisition Matter) Bilaspur, District Bilaspur Chhattisgarh
3. SDO Cum Land Acquisition Kota (Performed The Duties Of A Collector In The Matter Of Land Acquisition Matter) Tahsil Kota, District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Sanjay Kumar, Advocate
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For Respondent/ State	:	Shri Akash Pandey, P.L.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03.02.2021

Heard.

1. Learned counsel for the petitioner would submit that the petitioner who is aged about 70 years, her land was merged while construction of dam namely Kopra Bandh. He would further submit that despite the fact that the land of the petitioner was taken over, the petitioner has not been paid any compensation till date. He further submits that the land is situated at village Saida P.H. No. 6 and initially certain notices were served to the petitioner by Annexure P-2 but nothing has been transpired thereafter and eventually neither compensation has been paid nor deposited before any authority.
2. Learned State counsel prays time to seek instructions.

3. Considering the age of the petitioner that she is already aged about 70 years, in the opinion of this Court no purpose would be served by keeping the petition pending as the issue revolves around the fact finding, therefore, the respondents are directed to enquire the fact and demarcate the land of the petitioner which has been alleged to have been taken over for construction of dam/ road and if the petitioner has been deprived of the ownership of the land the said demarcation be carried out and thereafter the proceeding for acquisition may be done in accordance with law. It is further directed that the said proceeding may be completed within an outer limit of 6 months from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition is disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti