

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1097 of 2021

1. Rakesh Kumar Kanwar S/o Late Santu Ram Kanwar Aged About 41 Years
2. Pitambar Kanwar S/o Late Santu Ram Kanwar Aged About 33 Years
3. Bhisham Kanwar S/o Late Santu Ram Kanwar Aged About 35 Years
4. Ganeshwar Kumar Kanwar S/o Late Santu Ram Kanwar Aged About 31 Years
5. Smt. Rajo Bai Kanwar Wd/o Late Santu Ram Kanwar Aged About 58 Years

All are R/o Village Dandesara, Tahsil Kurud, District Dhamtari Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. Collector, District Dhamtari Chhattisgarh.
3. Sub Divisional Officer (Revenue) -Cum- Competent Authority, National Highway No. 30 (Old No. 43) Kurud, District Dhamtari Chhattisgarh.

---- Respondents

For Petitioner : Shri Govind Dewangan, Advocate

For State : Shri Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.02.2021

Heard

1. The grievance of the petitioners in the present writ petition is the inaction on the part of the respondents in not releasing the entire amount of compensation as determined under the provisions of Section 3G of the National Highways Act, 1956.
2. According to the petitioners they have certain portion of land bearing Khasra No.404/1 admeasuring 0.0143 hectare situated at village Dandesara Tahsil Kurud, District Dhamtari which have been acquired by the authorities for the construction and widening of the national highways and the acquisition has been done invoking the provisions of

the National highways Act. The compensation also has been determined under Section 3G of the National Highways Act, 1956.

3. Counsel for the petitioners further submits that they have received 50% of the compensation as quantified by the authorities. However, thereafter in spite of repeated approach being made by the petitioners to the authorities the balance of amount has not been released.
4. State counsel submits at this juncture that subject to verification of the payment part, the writ petition can be disposed of directing the respondent No.2 & 3 to take steps in ensuring that balance of amount payable to the petitioners, if any, should also be released at the earliest.
5. With the aforesaid submissions, the writ petition stands disposed of with a direction to the respondent No.2 & 3 to scrutinize and verify the claim of the petitioners so far as demand of balance of amount is concerned.
6. Subject to the verification of the facts from the records the balance of payment, if any payable be released to the petitioners at the earliest preferably within a period of 90 days from today.
7. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Aks