

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 51 of 2021

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya Raipur, Chhattisgarh.
2. The Land Acquisition Officer Cum Sub Divisional Officer (Revenue) Janjgir Champa, Chhattisgarh
---- Petitioners

Versus

1. Rajendra Prasad Dwivedi S/o Late Gokul Prasad Dwivedi Aged About 57 Years R/o Haveli Para, Ward No. 2 Sukli, Tehsil And District Janjgir Champa, Chhattisgarh.,
2. National Highway Authorities Of India Through Project Director, House No. 5196, Behind Bti College, Shankar Nagar, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Gagan Tiwari, Dy. G.A.
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For Respondent No. 2	:	Mr. Tushar Dhar Diwan, Advocate on behalf of Mr. Ramakant Mishra (ASG)
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.04.2021

1. Heard
2. Learned counsel for the petitioner submits that this Court in WPC No. 1677/2019 dated 09.05.2019 has passed the following order:-

“4. In view of the above, the present writ petition is disposed of with direction that the petitioner shall move a representation before the concerned Collector (Land Acquisition)-respondent No.2 within a period of 4 weeks from today. Thereafter, the said Collector shall decide the representation within 10 weeks from the date of the State Government's fresh Notification in terms of the directions issued by the Division Bench.”

3. It is further submitted that the Division Bench order which was passed earlier on 30.10.2018 in WPC No. 1649/2017 has been reviewed subsequently on 12.12.2019, therefore the Division Bench itself has reviewed the order and thus the direction as given in para 4 in WPC No. 1677/2019 may be reviewed.

4. A perusal of Para 4 of the direction issued by this Court on 09.05.2019 in WPC No. 1677/2019 only speaks that the Collector shall decide the representation within a specified time in view of the notification issued by the State in terms of the direction issued by the Division Bench. This Court has not expressed any opinion on specific particulars of the Division Bench order and if the Division Bench order which has been passed on 30.10.2018 has been reviewed on 12.12.2019, then it will also be within the ambit of the Division Bench order. The State, therefore, can pass the order in view of the review order passed by the Division Bench. No review of the order dated 09.05.2019 is called for.
5. With the aforesaid direction/ observation, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge