

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1708 of 2021**

- Chhedu S/o Ramprasad Aged About 81 Years R/o Village Amoda, Tahsil Jaijaipur, District- Janjgir-Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Department Of Revenue Mahanadi Bhawan, Raipur, District- Raipur (Chhattisgarh)
2. Collector Of District Janjgir-Champa, Chhattisgarh
3. Sub-Divisional Officer Cum Land Acquisition Officer Sakti, District- Janjgir-Champa (Chhattisgarh)
4. Executive Engineer Public Work Department Champa Division, Champa, District- Janjgir-Champa (Chhattisgarh)

---- Respondents

For Petitioner : Shri Surfaraj Khan, Advocate

For Respondents/State : Shri Gagan Tiwari, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****23/03/2021**

1. Learned counsel for the petitioner submits that the petitioner is land holder at village Amoda. He is the owner of the land bearing Khasra No.114/1 admeasuring 0.73 acres at village Amoda, Tahsil Jaijaipur, District Janjgir-Champa. He would submit that the State Highway is being constructed and widening of road is being done on the route Basantpur to Ghoghari. He would submit though the land of the petitioner is being acquired by force, neither the compensation is paid nor any proceeding for compensation is drawn. Therefore, the respondent authorities may be directed to acquire the land in accordance

with law.

2. It has been contended that the land of the petitioner is being acquired for widening / construction of the road in between Basantpur to Ghoghari, if the land is acquired without any lawful acquisition it will offend to Article 300A of the Constitution. In view of this, considering the limited prayer of the petitioner, the respondent No.2, 3 & 4 are directed to demarcate the land of the petitioner and if it is found that the said land falls within the ambit of the affected area of construction of road then in such case the proceeding for acquisition of the land be made in accordance with law and thereafter the adequate compensation be paid to the affected person. The said process be completed within the outer limit of six months.
3. With the aforesaid observation, the petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge

Ashu