

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT. No. 320 of 2021**

1. Mahetrin Bai W/o Pitar Lal Chandra, Aged About 42 Years, Owner Of Land Bearing Khasra No. 39/3, R/o Village Bhothiya, Tahsil Jaijaipur, District Janjgir Champa, Chhattisgarh
2. Kushal Prasad Sahu S/o Ramprasad Sahu, Aged About 56 Years Owner Of Land Bearing Khasra No. 62/1(Kh), 65/1, 65/2 (Kh) R/o Village Bhothiya, Tahsil Jaijaipur, District Janjgir Champa Chhattisgarh
3. Kartik Ram S/o Ghurau Ram, Aged About 76 Years, Owner Of Land Bearing Khasra No. 63, 64, R/o Village Bhothiya, Tahsil Jaijaipur, District Janjgir Champa, Chhattisgarh

---- Petitioners**Versus**

1. Siddharth Komal Pardesi Presently Working As Secretary, Public Works Department, Raipur, Chhattisgarh
2. Yashwant Kumar, Collector, Janjgir Champa, Chhattisgarh
3. B S Markam, Sub Divisional Officer (Revenue), Sakti, District Janjgir Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Sushobhit Singh, Advocate
For Respondents 1 & 2	:	Mr. Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.08.2021**

1. The present contempt petition has been filed alleging the non-compliance of the order dated 20.07.2020 passed in WPC No. 1423 of 2020.
2. The grievance of petitioners was the inaction on the part of the

respondents in acquiring the property of petitioners even before the acquisition proceedings under the Land Acquisition Law being availed and finalized.

3. Today, when the matter is taken up after notice to the respondents, Shri Jitendra Pali, Dy. Advocate General submits that he has instruction to state that when the authorities went for compliance of the order passed by this Court, it was realized that the land acquisition proceedings initiated at the first instance stood lapsed by efflux of time in view of the statutory provisions under Section 25 of the Land Acquisition Act. He submits that the authorities concerned to ensure that the order passed by this Court is complied in its letter and spirit, have immediately initiated a fresh proceeding for acquiring the land and a notification under Section 19 in this regard has already been published as early as on 31.05.2021. He further submits that the fresh proceedings shall be concluded in accordance with the provisions of law at the earliest and the compensation payable to the petitioners shall be decided and released at the earliest on the finalization of the proceedings.
4. Counsel appearing for petitioners submits that his only anxiety is to ensure that the proceedings which have now been initiated afresh at least should be concluded at the earliest preferably within the statutory limits permitted under the provisions and to ensure that the subsequent proceedings at least may not get lapsed by efflux of time. He submits that let the petitioners reap the benefits arising out of the award for the land belonging to them which stands acquired by the respondents and the possession of which has already been taken by the respondents almost a decade back.

5. Considering the submissions made by the counsel for respondents as regards the earlier proceedings getting lapsed and the subsequent proceedings having been initiated afresh, this Court is of the opinion that as of now the contempt petition can be disposed of. However, it is observed that the respondent authorities should take all necessary steps to ensure that the fresh proceedings now initiated by notification dated 31.05.2021 be concluded at the earliest in accordance with the provisions of law governing the field at the earliest preferably within the statutory limits provided under the Act and the petitioners be compensated immediately thereafter.
6. With the aforesaid observation the contempt petition stands disposed of. However, the right of petitioners stands reserved to approach the Court afresh in case need so arises.

Sd/-
P. Sam Koshy
Judge