

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1759 of 2021**

1. Khemlal S/o Daduram Aged About 37 Years
2. Butairam S/o Bhagwani Aged About 52 Years
3. Shobharam S/o Mahettar Aged About 48 Years

All R/o Village Amoda Tahsil Jaijaipur District Janjgir Champa Chhattisgarh.

---- **Petitioners**

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 Aquisition Officer Sakti District Janjgir Champa Chhattisgarh
4. Executive Engineer Public Work Department Champa Division, Champa District Janjgir Champa Chhattisgarh.

---- **Respondents**

For Petitioners	:	Shri Sufaraj Khan, Advocate
For Respondents/State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice Goutam Bhaduri**Order**

25/03/2021

1. Learned counsel for the petitioners submits that the petitioners are land holder at village Amoda. Petitioner No.1 is the owner of the land bearing Khasra No.818/1 admeasuring 0.12 acres, Petitioner No.2 is the owner of the land bearing Khasra No.843, 844 admeasuring 0.28 acres and Petitioner No.3 is the owner of the land bearing Khasra No.114/2 admeasuring 0.60 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 petitioners are 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 petitioners are 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 petitioners, the respondent No.2, 3 & 4 are directed to demarcate the land of the petitioners 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