

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1840 of 2021**

1. Khikram S/o Nandlal Aged About 39 Years
2. Rajendra S/o Bodhiram Aged About 42 Years
3. Ghasiram S/o Thakurram Aged About 42 Years

All R/o Village Parsada 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 Acquisition Officer Sakti, District Janjgir Champa Chhattisgarh
4. Executive Engineer Public Work Department Champa Division, Champa, District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioners : Shri Surfaraj Khan, Advocate

For Respondents/State : Ms. Sunita Jain, GA

Hon'ble Shri Justice Goutam Bhaduri

Order

26/03/2021

1. Learned counsel for the petitioners submits that the petitioners are land holder at village Parsada. The petitioner No.1 is the owner of land bearing Khasra No.669/1Ka admeasuring area 0.27 acre, petitioner No.2 is the owner of land bearing Khasra No.924/2 admeasuring area 0.02 acre and petitioner No.3 is the owner of land bearing Khasra No.924/1 admeasuring area 0.32 acre at village

Parsada 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 lands of the petitioners are being acquired for widening / construction of the road in between Basantpur to Ghoghari, if the lands are 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 lands be made in accordance with law and thereafter the adequate compensation be paid to the affected persons. 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