

**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P.(C) No. 2051 of 2021**

Vishnu Prasad Dwivedi, S/o. Late Nakul Prasad Dwivedi, Aged About 85 Years, R/o. Village Podi, Block Bodla, Tahsil Bodla District Kabirdham Chhattisgarh.

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh, Through Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Collector, Kabirdham, District Kabirdham Chhattisgarh.
3. Executive Engineer, Public Works Department, Kabirdham, District Kabirdham Chhattisgarh.
4. Sub Divisional Officer, Public Works Department, Sub Division Bodla, District Kabirdham Chhattisgarh.
5. Sub Divisional Officer (Revenue), Kawardha, District Kabirdham Chhattisgarh.

---- **Respondents**

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For Petitioner : Mr. C.Jayant K. Rao, Advocate

For State : Mr. Gagan Tiwari, Dy. Govt. Advocate

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

**10.06.2021**

Heard.

1. Learned counsel for the petitioner would submit that the land of the petitioner was acquired for the purpose of Tar Bandh. His land was bearing Khasra No.283 situated at Village Podi, R.I. Circle Bodla. The extent of land loss was of 0.433 hectare out of 4.07 acres. He would submit that despite the land was used for construction of Dam, the petitioner has not been compensated for which the petitioner is running from pillar to post and eventually an application to the Collector Kawardha and different higher authorities including the Ministry was made, but nothing has transpired. Therefore, the case of the petitioner may be considered forthwith and

suitable proceedings may be drawn for grant of compensation.

2. The petitioner claims that he owns a land bearing Khasra No.283 admeasuring 4.07 acres situated at Village Podi, P.C. No.7, R.I. Bolda and out of that land 0.433 hectares has been acquired for construction of Dam. The representation Annexure P-2 made in the year 2003 would show that the petitioner made an application to the Collector and thereafter one letter dated 20.07.2012 Annexure P-3 is on record whereby the Executive Engineer, Public Works Department asked the S.D.O., Public Works Department Bodla to enquire into the facts and report back.
3. The age of the petitioner as shown is 85 years. If the factual submission of the petitioner are correct that 0.433 hectare of land has been acquired for the purpose of construction of Dam of Khasra No.283 of which the petitioner is the owner then in such case he would be entitled for grant of compensation in accordance with law. In order to ascertain the fact, the respondent No.2 to 5 is directed to substantiate as to how much land of the petitioner has been acquired out of Khasra No.283 at Village Podi and thereafter if the land of the petitioner is acquired then in such case to the extent of land acquired for the purpose of Dam, the compensation be calculated in accordance with law and compensation be granted to the petitioner forthwith.
4. The aforesaid exercise may be carried out within a period of 6 months from the date of receipt of a copy of this order including the grant of compensation to the petitioner so that the further litigation by the petitioner can be avoided as he has already attained the age of 85 years as on today.
5. With the aforesaid observation, the petition stands disposed of.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge