

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2046 of 2021**

Teras Ram Kashyap S/o Shri Khambhan Kashyap Aged About
42 Years R/o Village Dongakoharaud, Thana And Tahsil
Pamgarh, District- Janjgir-Champa, Chhattisgarh
--- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Public Works Department, Mantralaya New Raipur, District Raipur, Chhattisgarh
2. The Collector Janjgir District- Janjgir-Champa, Chhattisgarh.
3. The Sub Divisional Officer (R) And Land Acquisition Officer, Pamgarh, District- Janjgir-Champa, Chhattisgarh
4. The Tahsildar Pamgarh District- Janjgir-Champa, Chhattisgarh
--- **Respondents**

For the Petitioners	: Mr. Bharat Rajput, Advocate
For the State	: Mrs. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.06.2021

1. Heard.
2. The grievance of the petitioner is that the petitioner is owner of the land bearing Kh.No.1843/1, out of that land, 0.18 acres was sold to one Sanjay Kumar which was sub-numbered as 1843/2. The part of the original land, which was still in possession and ownership of the petitioner, was acquired for construction of the road. However, instead of petitioner who has been deprived of the land, the proceedings are being drawn in the name of one Sanjay Kumar on wrong factual aspects. Therefore, he submits that this fact was revealed that the name of Sanjay Kumar was published in the

notification by the respondents as beneficiary and in case the compensation is awarded to Sanjay Kumar, then though his land is not acquired he would get compensation for which the petitioner in fact is entitled. Learned counsel submits that under the circumstances, the petitioner has filed an application before the Tahsildar Pamgarh vide Annexure P-2 forwarding a copy to the SDO, Land Acquisition and has requested that the compensation case may be prepared in the name of petitioner so that it may not lead to further litigation.

3. Considering the submission made, if the land of the petitioner has been acquired but by mistake if the compensation is being considered to be paid to another one to whom the part of the land was sold then in such a case it would lead to multiplicity of litigation besides depriving the original owner from his lawful claim. In order to avoid future litigation between the parties, the SDO Land Acquisition, Pamgarh to whom the copy of the letter dated 08.03.2021 has also been forwarded while addressing to Tahsildar, may decide the entitlement of the petitioner pursuant to representation made vide Annexure P-2. While deciding the claim of the petitioner, Sanjay Kumar Son of Ramlal should also be heard in whose name the publication was made to grant compensation.
4. With the above observation, this writ petition stands disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**