

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2319 of 2021

Surya Vijay Singh S/o Late Shayam Karan Singh, Aged About 68 Years R/o - Ganjipara Ward No. 4, Khairagarh Tahsil Khairagarh District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Atal Nagar New Raipur District Raipur Chhattisgarh.
2. Collector Rajnandgaon District - Rajnandgaon Chhattisgarh.
3. Sub Divisional Officer (R) Khairagarh District Rajnandgaon Chhattisgarh.
4. Tahsildar Khairagarh District Rajnandgaon Chhattisgarh.
5. Executive Engineer Public Works Department, Division Khairagarh District Rajnandgaon Chhattisgarh.

---- Respondents

For petitioner – Shri F.S. Khare, Advocate.

For State – Shri Siddharth Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/06/2021

Heard.

1. Learned counsel for the petitioner would submit that the petitioner was owner of land bearing khasra No.72/1 admeasuring 0.348 hectare situated at village Sonesar, Tahsil Khairagarh, District Rajnandgaon. He would submit that for construction of bye-pass road the entire land was acquired, however compensation was paid only for 0.081 hectare of land under the Land Purchase Policy of 2016. Therefore, the entire land though was used but part of compensation was paid. Under the circumstances, the petitioner had filed an application before the Tehsildar by Annexure P-2 on 24/01/2019 to demarcate the land so that the extent of land used for construction of the road may be arrived at, then in such case the petitioner would be entitled for the remaining compensation of the land which was not paid.
2. Considering the application Annexure P-2, it appears that application for

demarcation was filed on 24/01/2019 alongwith the challan of 15/01/2019, such application is therefore required to be decided so as to ascertain the part of the land used for construction of road. Accordingly, respondent No.4 Tahsildar Khairagarh, District Rajnandgaon is directed to demarcate the land of the petitioner within a further period of 60 days from the date of receipt of this order and thereafter if it is found that the land of the petitioner has been used in its entirety, after demarcation of the land the respondent shall calculate as to whether the petitioner was paid compensation of the used land or not, if land used exceeds the area for which the compensation was paid, the petitioner shall further be paid the compensation in accordance with the policy of the State within a further period of six months.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE