

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2320 of 2021

1. Rajendra Kumar Tiwari S/o Late Sharda Prasad Tiwari Aged About 78 Years
2. Ashok Kumar Tiwari S/o Late Sharda Prasad Tiwari Aged About 74 Years
3. Avnish Kumar Tiwari S/o Late Krishn Kumar Tiwari Aged About 52 Years

All 1 to 3 R/o Village Zamkor Tahsil Mungeli, District Mungeli Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development, Indrawati Bhavan, Block D, Fourth Floor, Naya Raipur District Raipur Chhattisgarh.
2. Joint Director, Regional Office, Urban Administration And Development Department, Raipur District Raipur Chhattisgarh.
3. The Collector Mungeli, Tahsil And District Mungeli Chhattisgarh.
4. Sub Divisional Officer (Revenue) Mungeli, Tahsil And District Mungeli Chhattisgarh.
5. Municipal Council Mungeli, Through Chief Municipal Officer Mungeli Chhattisgarh

---- Respondents

For petitioners – Shri Anand Mohan Tiwari, Advocate.

For State – Shri Alok Bakshi, Addl.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/06/2021

Heard.

1. Grievance of the petitioner is that the petitioners have been deprived of compensation despite the fact their land were acquired for public street by the Municipality as CC road has been constructed over their land.
2. Learned State counsel would submit that if land of the petitioners have been acquired for construction of road, there is no reason why the adequate compensation as permissible under the law would not be allowed.
3. Considering the entire facts and circumstances of this case, writ petition is disposed of with a direction that SDO, Mungeli shall conduct a joint demarcation to ascertain the area owned by the petitioners which has been used for construction

of CC road, thereafter the Municipal Council, Mungeli shall initiate process for payment of compensation of the land in accordance with law. The process of payment of compensation shall be completed within a further period of six months.

Sd/-

(Goutam Bhaduri)

JUDGE

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