

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2451 of 2021

Agastus Lakda S/o Iliyajar Aged About 45 Years R/o Village - Bahalijor
(Dokda), Post - Dokda, Tahsil - Kansabel, District - Jashpur Chhattisgarh.,
District : Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh through the Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur Chhattisgarh.,
2. The Collector, District - Jashpur District : Jashpur, Chhattisgarh
3. The Sub - Divisional Officer (Revenue), Bagicha, District : Jashpur, Chhattisgarh
4. The Executive Engineer, Public Works Division, Jashpur, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

--- Respondents

For petitioner – Shri Manoj Chauhan, Advocate.

For State – Shri Gagan Tiwari, Dy. Govt. Advocate with Mr. P. Acharya, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22-06-2021

Heard.

1. Learned counsel for the petitioner submits that the petitioner is land holder at village Bahalijor (Dokda). It is stated that he is the owner of the land bearing Khasra No. 95/3 P.H.No.18, R.I. Circle Kansabel, Tahsil Kansabel, District Jashpur. He would submit that the State Highway is being constructed and widening of road is being done on the route Bandarchuvan – Farsabahar. It is submitted that the part of land of the petitioner is acquired by force. Neither the compensation is paid nor any proceedings for compensation is drawn. Therefore the respondent-authorities may be directed to acquire the land in accordance with law.
2. It is contended that for widening / construction of the road in between

Bandarchuvan-Farsabahar, If the land is acquired without any lawful acquisition it will offend to Article 300A of the Constitution. In view of this, considering the limited prayer of the petitioner, the respondent No.2, 3 & 4 are directed to demarcate the land of the petitioner 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 land be made in accordance with law and thereafter the adequate compensation be paid to the affected person. 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

Rao