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HIGH COURT OF CHHATTISGARH AT BILASPUR**REVIEW PETITION NO. 106 OF 2021**

1. State of Chhattisgarh, through Secretary, Department of Revenue and Disaster Management, Mahanadi Bhawan, New Raipur, District Raipur (CG)
 2. Collector, Bilaspur, District Bilaspur (CG)
 3. Sub Divisional Officer (Revenue) cum Land Acquisition Officer, Bilha, District Bilaspur (CG)
 4. The Secretary, State of Chhattisgarh, Department Water Resources, Mahanadi Bhawan, Mantralaya, Nawa Raipur, Atal Nagar, Raipur (CG).
- ... Applicants**

versus

- Ashok Agrawal, S/o Late Jagmohan Das Agrawal, aged about 55 years, R/o Kranti Nagar, Bilaspur, Tehsil and District Bilaspur (CG)
- ... Non-applicant**

For Applicants

:

Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/07/2021**

1. The present Review Petition has been preferred seeking for review of the Order dated 17.8.2020 passed by this Court in WPC No.1684/2020.
2. This Court while disposing of the aforementioned Writ Petition on 17.8.2020 had in the operative paragraph of the Order held as under:-

“4. Accordingly, the writ petition is disposed of directing the respondent no. 2 and 3 to take an **appropriate decision** on the application under section 33 of Act, 2013 in accordance with law at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.”

3. Plain reading of the aforesaid direction given by this Court would clearly reflect that all that this Court had ordered was for Respondents No.2 & 3 to pass an appropriate order on the application of Non-applicant/Petitioner preferred under Section 33 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. It is also pertinent to mention that the time limit for deciding the said application provided by this Court was 90 days.

4. Now, after a period of around 11 months the present Review Petition has been filed seeking review of the aforementioned Order primarily on the ground of there being suppression of fact by Non-applicant/Petitioner when the Writ Petition was filed by him. The suppression of fact was to the extent that the subsequent developments were not brought to the notice of the Court, inasmuch as the Non-applicant/Petitioner had himself moved an application under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 before the Collector and there is already an Order passed and that Order has already been challenged both by the State Government as also by the Non-applicant/Petitioner in separate Writ Petitions i.e. WPC No.2169/2019 and WPC No.4648/2019 respectively and both are still pending consideration before this Court.

5. Be that as it may, if we look into the observations made by this Court while disposing of WPC No.1684/2020, it would clearly reflect that the only Order that this Court had passed was to take an appropriate decision. The Authorities concerned could have very well decided the application in the light of the proceeding drawn under Section 64 of the aforesaid Act of 2013 and the same being subjudice in the High Court in the aforementioned two Writ Petitions and could have closed the matter accordingly. Filing of a Review Petition after a period of 11 months now seeking for review of an Order that was passed as early as on 17.8.2020 does not make any sense. This Court had not directed the Respondents/Applicants to decide the application preferred by Petitioner/Non-applicant under Section 33 of the Act of 2013 in any particular manner. This Court had only made an observation for an early disposal of that application. The decision was left upon the Authorities concerned.

6. Given the said facts, this Court is of the firm view that no strong case for review of the Order dated 17.8.2020 passed in WPC No.1684/2020 is made out by Applicants/Respondents.

7. Review Petition accordingly stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

/sbarad/