

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3072 of 2021

- Kavalpal Singh S/o Balwant Singh, Aged About 54 Years R/o. Budhwari Para, Ward No. 13, Dongergarh, District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through - Secretary, Land Acquisition, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
2. Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
3. Collector, Rajnandgaon, District Rajnandgaon Chhattisgarh.
4. Sub Divisional Officer (Revenue) - Cum - Land Acquisition Officer Dongergarh, District Rajnandgaon Chhattisgarh.
5. Sub Divisional Officer, Public Works Department, Sub Division Dongergarh, District Rajnandgaon Chhattisgarh.
6. Executive Engineer, Public Works Department, Division Dongergarh / Khairagarh, District Rajnandgaon Chhattisgarh.

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For Petitioner	:	Shri Shikhar Sharma, Advocate
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For State	:	Shri Gagan Tiwari, Dy. G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.07.2021

Heard

1. The grievance of the petitioner is that the petitioner owns a land bearing Khasra No. 41/1 admeasuring area 0.54 acre situated at village Rajkatta, Tahsil Dongergarh District Rajnandgaon. It is contended that the petitioner after long time when visited his land, he found that a road has been constructed over his land by the respondent/ PWD department. Therefore, demarcation at the behest of the petitioner was carried out vide Annexure P-1 and it was found that the road has been constructed over the land whereby the petitioner is deprived of his right to hold the property without due acquisition of the land by the State government. Learned counsel

submits that the petitioner has already made a representation dated 25.07.2019 (Anenxure P-2) to grant compensation, however the same has not been decided.

2. Learned State counsel submits that the representation of the petitioner dated 25.07.2019 (Anenxure P-2) would be decided in according with law.
3. Heard learned counsel for the parties and perused the documents.
4. Considering the tenor of Annexure P-1 wherein it has been admitted by the State government that the land of the petitioner has been used for construction of the road, the respondents are directed to carry out the demarcation to find out the deprivation of petitioner and the extent of damage done to the petitioner and thereafter if it is found that entire land has been rendered useless for existence of the road, the respondents shall carry out the proceeding for acquisition of the land as early as possible within an outer limit of 1 year.
5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti