

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3286 of 2021

1. Smt. Bimla W/o Shri Amilal Agrawal, Aged About 63 Years R/o Village Pithora, Tehsil And P.S. Pithora, District Mahasamund Chhattisgarh
2. Smt. Kanta Agrawal, W/o Shriniwas Agrawal, Aged About 50 Years R/o Village Sankara, Tehsil And P.S. Pithora, District Mahasamund (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan Naya Raipur, District Raipur (Chhattisgarh)
2. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
3. Collector Mahasamund, District Mahasamund Chhattisgarh
4. Land Acquisition Officer And Sub Divisional Officer (Revenue) Pithora, District Mahasamund Chhattisgarh
5. Tehsildar Pithora, District Mahasamund Chhattisgarh
6. Executive Engineer, Water Resource Division, Mahasamund, District Mahasamund Chhattisgarh

---- Respondents

For Petitioners : Shri Surfaraj Khan, Advocate

For Respondents/ State : Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.08.2021

Heard.

1. The grievance of the petitioner is that there land which is situated at Village Sagundhaap, Tehsil Pithora, District Mahasamund bearing Khasra No. 57 rakba 0.008 hec was acquired for construction of Lower Joonk Bairaj (Canal). It is further submitted that till date the compensation award and the annuity under Section 38 read with Schedule 2, Serial Nos. 4 of the Land Acquisition Act, 2013 has not been granted to the petitioner together with the interest. It is submitted that the acquisition proceedings have already been drawn under Land Acquisition Act,

2013, therefore the petitioner has made a representation with the office of Collector and Land Acquisition Officer i.e. Sub-Divisional Officer but the same is not being decided resulting into the fact that the petitioner is deprived of his right to get the compensation.

2. Learned State counsel submits that they will decide the representation of the petitioner in accordance with law and the facts which are existing in this case.
3. Considering the submission made without further going into the merits since the representation is made to the Respondents No. 3 & 4 vide Annexure P-2, they are directed to decide the same within a further period of 60 days from the date of receipt of a copy of this order in accordance with law and the facts which are existing in this case after verification of facts.
4. With the above direction/observation, this writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti