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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3177 of 2021

- Chaitan Prasad S/o Jaitram, Aged About 72 Years, R/o Village Ragja, Tehsil Sakti, District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street, New Delhi 110001, New Delhi
2. Chief Engineer N.H. Division Raipur, N.H. Campus Pension Bada, Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Collector Janjgir-Champa, District-Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa, District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondents

WPC No. 3221 of 2021

- Kamalkumar S/o Santram, Aged About 47 Years, R/o Village- Ragja, Tehsil- Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street, New Delhi-110001., New Delhi
2. Chief Engineer N.H. Division Raipur, N.H. Campus, Pension Bada, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

WPC No. 3222 of 2021

- Nemchand S/o Jaitram, Aged About 81 Years, R/o Village Ragja, Tehsil Sakti, District - Janjgir-Champa (Chhattisgarh), District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street, New Delhi 110001, New Delhi
2. Chief Engineer N.H. Division Raipur, N.H. Campus Pension Bada, Raipur (Chhattisgarh)
3. Collector Janjgir-Champa, District Janjgir-Champa (Chhattisgarh)

4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa District Janjgir-Champa (Chhattisgarh)

---- Respondents

WPC No. 3227 of 2021

- Daalkumari W/o Ramkumar, Aged About 69 Years, R/o Village Ragja Tehsil Sakti, District Janjgri-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street, New Delhi 110001., New Delhi,
2. Chief Engineer N.H. Division Raipur, N.H. Campus Pension Bada Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Janjgir-Champa District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

WPC No. 3230 of 2021

- Gangaram S/o Chitki, Aged About 70 Years, R/o Village Ragja Tehsil Sakti, District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street , New Delhi 110001
2. Chief Engineer N.H. Division Raipur, N.H. Campus Pension Bada, Raipur Chhattisgarh.
3. Collector Janjgir-Champa District Janjgir Champa Chhattisgarh.
4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

WPC No. 3232 of 2021

- Suresh Kumar S/o Jaitram, Aged About 55 Years, R/o Village Ragja Tehsil Sakti, District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street, New Delhi 110001.
2. Chief Engineer N.H. Division Raipur, N.H. Campus Pension Bada, Raipur Chhattisgarh.
3. Collector Janjgir-Champa District Janjgir-Champa Chhattisgarh.

4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa District Janjgir-Champa Chhattisgarh.

---- Respondents

WPC No. 3234 of 2021

- Hemantkumar S/o Naimchand, Aged About 50 Years, R/o Village- Ragja, Tehsil - Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. Union of India Through Ministry Of Road Transport and Highways, Transport Bhawan, 1 Parliament Street, New Delhi- 110001., New Delhi,
2. Chief Engineer N.H. Division Raipur, N.H. Campus Pension Bada, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Competent Officer (Land Acquisition) and Sub-Divisional Officer (Revenue) Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

Shri Surfaraj Khan and Shri Kamal Kishor Patel, Advocates for the petitioners.
Shri Tushar Dhar Diwan, Advocate on behalf of the ASG for Union of India.
Mr. Aditya Bhardwaj, Mr. Aman Kesharwani, Shri Pawan Kesharwani and Ms. Sameeksha Gupta, Panel Lawyers for the State.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-11-2021

1. All these petitions have been filed on the basis of the grievance of the petitioners that they have not been paid any compensation for the lands acquisitioned.
2. It is submitted by learned counsel for the petitioners in all the cases that all the petitioners are residents of Village Ragja Tehsil Sakti, District Janjgir-Champa. The agricultural land of which the petitioners are recorded owners was acquired for the purposes of widening of N.H. No.49. The compensation has been determined by respondent No.4 on 16-04-2018. Since the date of passing of award almost three years have lapsed but the petitioners in all the cases have not received any amount of the compensation ordered. Hence, it is prayed that direction be issued.

3. The State counsel representing the respondents opposes the submission.

4. Considered on the submissions and perused the documents filed along with the petitions. It is undisputed that lands belonging to the petitioners have been acquisitioned and all the petitioners are having the award of compensation in their favour passed in the year 2018. There is a long lapse of three years and the compensation as awarded to each of the petitioners has not been paid. The petitioners are land losers and by losing the lands they are deprived of all the benefits which they were drawing from the lands which have been acquisitioned. Therefore, it is duty of the respondent authorities to ensure that the petitioners are compensated as soon as possible. Hence, for these reasons all the petitions are disposed off at motion stage. Respondents No.3 and 4 are directed to ensure that the compensation awarded to the petitioners in all the cases is paid at the earliest preferably within a period of 120 days from today.

5. All the petitions are disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge