

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(C) No. 4178 of 2021**

Riyanka Panjwani W/o Shri Manoj Panjwani Aged About 52 Years R/o Kavita Nagar, Raipur District Raipur Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue Mahanadi Complex, Nava Raipur Atal Nagar, District Raipur Chhattisgarh
2. The Collector Raipur District Raipur Chhattisgarh
3. Sub Divisional Officer Revenue Cum Land Acquisition Officer Tehsil Abhanpur District Raipur Chhattisgarh

---- **Respondents****AND****W.P.(C) No. 4180 of 2021**

Gagan Kumar Panjwani S/o Shri Aasandas Panjwani Aged About 62 Years R/o Kavita Nagar, Raipur District- Raipur (Chhattisgarh)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue Mahanadi Complex, Nava Raipur Atal Nagar, District Raipur Chhattisgarh
2. The Collector Raipur District Raipur Chhattisgarh
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---- **Respondents**

For Petitioners : Mr. Ashutosh Singh Kachhawaha,
Advocate

For Respondents/State : Mr. Ashish Tiwari, G.A. &
Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Rajendra Chandra Singh Samant

Order on Board**03.12.2021**

Heard

1. It is submitted by the learned counsel for the petitioners that the petitioners are the land owners, situated in village – Uparwara, Tehsil

– Abhanpur, District – Raipur (C.G.). The land belonging to the petitioners in both the cases is within the planning area declared for acquisition for Naya Raipur Development Authority (NRDA). The petitioners in both the cases are businessmen and they have suffered loss due to circumstances in the Covid pandemic situation. Therefore, they intend to sale out their properties but they are unable to sale the same. The petitioners filed a representation, before the President, NRDA, which has been replied by Annexure P-5 dated 31.08.2021 that the land acquisition Case No.9-A/82 year 2011-12 are pending, before the Court of S.D.O. (Revenue)-cum-Land Acquisition Officer, Abhanpur. The petitioners then made a representation dated 17.09.2021 (Annexuer P-6) making prayer to the respondent No.3 that either the petitioners be granted compensation of the land acquired or the petitioners be granted NOC to sale out the landed property belonging to them. This representations are pending without any decision. Hence, it is prayed that appropriate direction be issued.

2. Learned State counsel opposes the submissions. It is submitted that the respondent No.3 is competent to decide the case of the petitioners on its merits. It is also submitted that the land is being acquired for NRDA and the correspondence made by the petitioners has been replied by the NRDA, therefore, the NRDA is also essential party.
3. Considered on the submissions. After perusing the documents placed on record and considering that the acquisition proceeding of the land belonging to the petitioners has been initiated in the year 2011-12, but so far the case has not been decided and the proceeding is almost standstill, therefore, this petition is disposed off at motion stage. The respondent No.3 is directed to decide the representation of the petitioners within a period of 45 days from today.

4. With these observations, both the petitions stand disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram