

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4317 of 2021**

1. Santram S/o Janau Aged About 48 Years
2. Santosh S/o Khorbahara Aged About 52 Years
3. Jitendra Singh S/o Santan Singh Aged About 42 Years
4. Lakhanu S/o Visheshar Aged About 60 Years (In The Compensation Chart Petitioners Fathers Name Is Mentioned He Is Dead After His Death Petitioner Is The Legal Successor)
5. Faguram S/o Sadhram Aged About 47 Years
6. Sadhram S/o Shekhu Aged About 62 Years
7. Ramkhilawan S/o Late Mantram Aged About 34 Years (In The Compensation Chart Petitioners Fathers Name Is Mentioned He Is Dead After His Death Petitioner Is The Legal Successor)
8. Baburam S/o Late Baisakhu Aged About 47 Years (In The Compensation Chart Petitioners Fathers Name Is Mentioned He Is Dead After His Death Petitioner Is The Legal Successor)
9. Vilasram S/o Mehattar Aged About 52 Years
10. Kailash S/o Jagannathi Aged About 50 Years
11. Lalaram S/o Sammelal Aged About 37 Years

All are the R/o Village Tikait Pendri, Tehsil Pathariya, District Mungeli Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan, Atal Nagar Raipur
2. Collector Mungeli, District Mungeli Chhattisgarh
3. Sub Divisional Officer Pathariya District Mungeli Chhattisgarh.
4. Executive Engineer Maniyaari Water Resource Division Mungeli, District Mungeli Chhattisgarh

---- Respondent

For Petitioners
For Respondent /State

Mr. TK Jha, Advocate
Mr. Ravi Bhagat, Dy. GA

SB.: Hon'ble Mr. Justice Rajendra Chandra Singh Samant

Order On Board

29/10/2021

1. Heard on petition.
2. It is submitted by learned counsel for the petitioners that the petitioners are the owners whose lands were acquired by the respondents on 20.12.2013. The compensation for the lands acquired have also be determined by the competent authority in accordance with the Land Acquisition Act, 1894. Subsequent to that, the Right to Fair Compensation & Transparency in Land Acquisition Rehabilitation & Resettlement Act, 2013 has come into force from 1.1.2014. The petitioners have received the compensation after the enactment of the Act, 2013. The petitioners filed a representation before the Collector praying for enhancement of compensation. On this basis, the assessment for compensation is required to be made in accordance with the norms laid down in the Act, 2013. The representation is pending, which is not being decided, hence, prayer there has been made for issuance of directions.
3. Learned State counsel opposes the submissions. It is submitted that the acquisition of lands were made under the provisions of

Old Act of 1894 and accordingly the compensation has been determined which has been received by the petitioners, therefore, there is no requirement for issuance of any such direction.

4. Accordingly, the present petition is disposed of at motion stage. Respondents No.2 and 3 are directed to consider on the representation filed by the petitioners within a time frame of three months from the date this order is passed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

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