

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 4340 of 2021**

1. Chandrabhan S/o Baliram Aged About 54 Years
2. Dhanau S/o Shivprasad Aged About 67 Years
3. Vijendra S/o Dhanau Aged About 46 Years
4. Sadhelal S/o Janau Aged About 47 Years (In The Compensation Chart Petitioners Name Is Wrongly Mentioned As Sadheram)
5. Mehattaru S/o Sukhau Aged About 60 Years
6. Jagdish S/o Ramkhel Aged About 38 Years
7. Vijaylal S/o Piharu Aged About 67 Years
8. Reshamlal S/o Pargan Aged About 34 Years (In The Compensation Chart Petitioners Mothers Name Is Mentioned She Is Dead After Her Death Petitioner Is The Legal Successor)
9. Jitendra Singh S/o Santan Aged About 42 Years
10. Lagani Bai Wd/o Late Goutriha Aged About 52 Years
11. Narayan S/o Titara Aged About 62 Years
12. Lakshman S/o Late Jaypal Aged About 51 Years (In The Compensation Chart Petitioners Fathers Name Is Mentioned He Is Dead After His Dead Petitioners Is The Legal Successor)
13. Triloki Singh S/o Triveni Singh Aged About 65 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, Chhattisgarh
2. Collector Mungeli, District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh
3. Sub-Divisional Officer Pathariya District Mungeli, Chhattisgarh.

4. Executive Engineer Maniyaari Water Resource Division Mungeli,  
District Mungeli, Chhattisgarh.

**---- Respondent**

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For Petitioners  
For Respondent /State

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

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**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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