

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 4415 of 2021**

- Dr. Anjali Sharma W/o Dr. Arun Sharma Aged About 59 Years Working As Professor, Govt. Bilasa Girls P. G. College, Bilaspur R/o Bandhwapara, Sarkanda, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Nawa Raipur Atal Nagar P. O. Rakhi, District Raipur Chhattisgarh
2. The District Collector District Bilaspur Chhattisgarh
3. The Sub Divisional Officer (R) Cum Land Acquisition Officer Tahsil Bilha, District Bilaspur Chhattisgarh
4. The High Court Of Chhattisgarh Through The Registrar General, Village Bodri, District Bilaspur Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State
For Respondent No.4

Mr. Sameer Behar, Advocate
Mr. Sudeep Agarwal, Dy. AG
Mr. Gary Mukhopadhyaya, Advocate

SB.: Hon'ble Mr. Justice Rajendra Chandra Singh Samant**Order On Board****8/11/2021**

1. Heard.
2. It is submitted by learned counsel for the petitioner that the petitioner is the owner of the land bearing Khasra No.314 measuring 0.95 acres situated at village Bodri, Tehsil Bilha

District Bilaspur. A portion of the land belonging to the petitioner has been encroached upon for construction of the High Court Residential Colony. The petitioner moved an application for demarcation and since it was pending, she preferred WPC No.1617/2020 before this Court, which was disposed off on 24.8.2020 with direction to the respondent authorities to conduct the demarcation proceedings with regard to the land in dispute and subsequently, demarcation has been conducted on 12.1.2021. A report of the said demarcation proceeding is submitted as Annexure P/3, which mentions that a portion of the land belonging to the petitioner measuring 0.22 acres is within the campus of the High Court Residential Colony. Learned counsel submits that the land mentioned herein above has not been acquired and the petitioner has not received any compensation, therefore, she made a representation to the respondents praying for compensation of the land encroached upon by the respondents and similar other representations were made before the High Court of Chhattisgarh, but no decision has been taken on the representation(s). Hence, appropriate directions be issued.

3. Learned counsel for the State submits that if the case is disposed of with directions, he has no objection.
4. Learned counsel for respondent No.4 submits that whether any acquisition proceeding has been taken up earlier or not has to be verified, therefore, a direction be issued accordingly.

5. Heard learned counsel for the parties and perused the record.
6. The demarcation report-Annexure P/3 submitted before this Court is a document prepared by respondents 1, 2 & 3, therefore, it appears to be an undisputed document and it also appears to be undisputed that 0.22 acres of land belonging to the petitioner has been used by the respondents for construction of the High Court Residential Colony. Hence, the submission of learned counsel for the petitioner that no acquisition proceedings have been initiated, therefore, she has not received any compensation, has to be taken into consideration.
7. Accordingly, the petition is disposed off at the motion stage itself. Respondents 2 & 3 are directed to make verification as to whether any acquisition proceeding has been taken up earlier or not and then, proceed to decide the representation(s) filed by the petitioner in accordance with law within a time frame of 90 days from today.
8. The petition is finally disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge