

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4274 of 2021**

- Chitto Vishwas S/o Shri Sudheer Vishwa, Occupation -Agriculture Aged About 58 Years R/o Village - Prem Nagar (Baysisi Colony), Tahsil Dharamjaigarh District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahnadi Bhawan, New Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. The Union Of India, Through The Ministry Of Railway, New Delhi,
3. The Collector, District Raigarh Chhattisgarh.
4. The Additional Collector, District Raigarh Chhattisgarh.
5. The Superintendent Of Police, District Raigarh Chhattisgarh.
6. The South East Central Railway, Through The Divisional, Railway Managar (D.R.M.) Bilaspur Division, Bilaspur Chhattiasgarh.
7. The Dy. Cheif Engineer/con/plg, Officer Of The Cao/c, South East Central Railway, Bilaspur Division, Bilaspur Chhattisgarh.
8. The Dy. Chief Engineer, South East Central Railway, Raigarh District Raigarh Chhattisgarh.
9. The Land Acquisition Officer Cum Sub Divisional Officer (Revenue), Sub Division - Dharamjaigarh District Raigarh Chhattisgarh.
10. The Tahsildar, Tah. Dharamjaigarh, District Raigarh Chhattisgarh.
11. The Naib Tahsildar, Tahsil Dharamjaigarh, District Raigarh Chhattisgarh.
12. The Station House Officer, Police Station - Dharamjaigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. A.N. Bhakta, Advocate
For State	:	Mr. Rahul Jha, G.A.
For Respondents No.6, 7 & 8	:	Mr. R.K. Gupta, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****26.10.2021**

1. Heard on admission.
2. It is submitted on behalf of the petitioner that the land, on which the house of the petitioner is constructed, was acquired by the respondents for construction of the railway line. The acquisition proceeding has taken place in the year 2018 and the petitioners have also received the compensation. According to the Ideal Rehabilitation Policy 2007 of the State of Chhattisgarh, the petitioner is entitled for

allotment of government land apart from the compensation regarding which a representation has been filed before the respondent No. 3- Collector Raigarh which is pending for decision so far.

3. The present petition has been filed for the reason that the respondent authorities are making attempt to dispossess the petitioner from the residential house which is occupied by him therefore the petition is admitted.
4. Learned State counsel opposes the submission and submits that after the acquisition proceeding, the petitioner has received the compensation for the same, therefore he is not entitled to retain the possession over the house which has been acquired. The representation filed by the petitioner can be decided by the respondent No. 3-Collector Raigarh as per the directions of this Court and this petition may be disposed of.
5. It is gathered from the submissions made that the acquisition proceeding is over and the petitioner has also received the compensation for the land and the house constructed over it from the respondent authorities, therefore it appears that he is not entitled to retain the possession of the same. However in the matter of representation filed by the petitioner, the same can be directed to be decided by the respondent No. 3- Collector Raigarh at the earliest.
6. Hence this petition is disposed off at the motion stage. The respondent No. 3- Collector Raigarh is directed to decide the representation made by the petitioner with respect to rehabilitation, taking into consideration the Ideal Rehabilitation Policy 2007 of the State of Chhattisgarh within a time frame of three months. The petitioner is also granted liberty to file additional representation, if it is so advised. It is also ordered that in case the petitioner is not evicted from the house & property acquisitioned, then he shall not be evicted for further 15 days.

Sd/-
(Rajendra Chandra Singh Samant)
 Judge