

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 4509 of 2021

- Surendra Kumar Dubey S/o Late Gajpati Lal Dubey, Aged About 48 Years, R/o Village Belmundi, Post Sakarra, Tahsil Takhatpur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue and Disaster Management Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Prescribed Authority (Land Acquisition) and Sub Divisional Officer (Revenue), Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Tahsildar Takhatpur , Tahsil Takhatpur, District Bilaspur Chhattisgarh.
5. Patwari P.H.No. 38, Revenue Circle Sakari, Tahsil Takhatpur, District Bilaspur Chhattisgarh.
6. Project Director Project Implementation Unit , National Highways Authority of India, Office At Abhilasha Parisar, Tifra , District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner – Mr. Shashank Thakur, Advocate.

For State/Respondents No.1 to 5– Ms. Sameeksha Gupta, Panel Lawyer.

For Respondents No.6 – Mr. Prasun Kumar Bhaduri, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-11-2021

1. It is submitted by learned counsel for the petitioner that the name of the petitioner is Surendra Kumar Dubey, he is also known as Suresh Kumar Dubey. In the Land Acquisition Case No.35A/82/2016-17 award of compensation was passed on 01-06-2018. The award of compensation has not been disbursed to the persons affected so far. Therefore, respondent No.3 may be directed to make disbursement of the amount awarded.
2. It is submitted learned counsel for the petitioner that the dispute is being raised regarding the identity of the petitioner as the name of the petitioner has

mentioned as Suresh in the award, whereas, there are documents present showing the name of the petitioner as Surendra. Hence, appropriate direction be issued.

3. The State counsel representing respondents No.1 to 5 opposes the submission.

4. Learned counsel for respondent No.6 submits that there is question of identity of the petitioner and the same cannot be decided by the Land Acquisition Officer. Therefore, the petitioner may be directed to clarify the same.

5. Considered on the submissions and perused the documents present in the petition. The will executed by father of the petitioner mentions the name of Suresh. The award dated 01-06-2018 also mentions the name of Suresh S/o Gajpati. Annexure-P/4 is report to the SDO Bilaspur in which the petitioner's name is mentioned as Surendra S/o Gajpati. Copy of revenue documents also mention the name of the petitioner as it is. So far, there is no such documents or any order passed by respondent No.3 refusing to release the compensation to the petitioner and others on the ground of identity of the petitioner. The petitioner is granted liberty to file a representation before respondent No.3 for the purpose of resolving the dispute present if any and also for disbursement of the amount of compensation to the petitioner and other persons affected. This representation may be filed by the petitioner within a period of 15 days from today. Respondent No.3 is directed to consider on this representation and take decision on the same at the earliest preferably within a period of 60 days.

The petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge