

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 4948 of 2021

1. Narayani Devi Wd/o Shri Om Prakash Aged About 78 Years R/o Dabra Road, Kharsiya, District Raigarh, Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Union of India Through The Secretary, Railway Department (Railway Board), East Rail Corridor Project, Kharsiya, District Raigarh, Chhattisgarh
3. Collector Raigarh District Raigarh, Chhattisgarh.
4. Sub Divisional Officer (Revenue) Cum- Land Acquisition Officer Kharsiya, District Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh
5. Chief Engineer (Construction) S E C R, Bilaspur, District Bilaspur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Kalpesh Ruparel, Advocate.
For State	:	Shri Ravi Bhagat, Dy. Govt. Advocate.
For respondents No. 2&4	:	Shri Tushardhar Diwan, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.12.2021

1. The present writ petition seems to have been filed dissatisfied with the award of compensation awarded against the acquisition of land belonging to the petitioner which has been acquired by the Railway.
2. The primary contention of the petitioner is that the property adjacent to the petitioner's property which has also been acquired by the Railways has fetched more compensation as compared to the compensation that was awarded to the petitioner. This has led to the filing of the present writ petition seeking for an appropriate direction.
3. Learned counsel appearing for the Railways pointed out that the property seems to have acquired under the Railways Act invoking Section 20A. Under Section 20F, there is a provision for determination and procedure of assessment of the amount of compensation payable. Sub-section (6) of Section 20F also provides that in the event of either of the parties not

being satisfied with the amount of compensation paid, they have to make an appropriate application to the Arbitrator appointed by the Central Government for deciding the said grievance.

4. In the instant case the petitioner does not seem to have preferred any dispute under Sub-section (6) of Section 20F of the Railways Act. The award in the instant case was passed on 25.08.2015.
5. Given the said facts, reserving the right of the petitioner to avail appropriate remedies, if now available to the petitioner, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder