

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.4830 of 2021**

1. Jhaduram Kumbhkar S/o Manglu, Aged About 55 Years,
2. Janki Bai D/o Manglu, Aged About 60 Years,

Both are R/o Village - Pantora, Tahsil - Baloda, District : Janjgir-Champa, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh.
2. The Collector Janjgir, District Janjgir Champa Chhattisgarh.
3. The Sub Divisional Officer (Revenue)/Land Acquisition Officer, Janjgir, District Janjgir Champa, Chhattisgarh.
4. The National Highway Authority, Through The Project Director, Project Implementation Unit, Bilaspur, Abhilasha Parisar, Behind New Bus Stand, Tifra, Bilaspur Chhattisgarh.

--- Respondents

For Petitioner	:	Mr. G.L. Uike, Advocate
For Respondent- State	:	Mr. Ravi Bhagat, PL
For Respondent No.4	:	Mr. Ali Asgar, Advocate

S.B. - Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02.12.2021

1. Heard on petition.
2. It is submitted that the petitioners are land owners whose land has been acquired by the respondent authorities for construction of National Highway 30 (A). The compensation has been determined vide award dated 09.10.2020. The petitioners are not satisfied with the award, therefore, they have filed a

representation before the Respondent No.3 and the same is remaining pending without any consideration, hence, appropriate direction be issued to the Respondent No.3.

3. State counsel represented Respondents No. 1 to 3 opposes the submission.
4. Counsel for the Respondent No.4 submits that the petitioners have remedy available under Section 3g(5) of the National Highways Act, 1956, therefore, respondent No.3 is not the authority who can grant any relief to the petitioners, therefore the petition may be disposed off.
5. After considering on the submission and keeping in view the provision under Section 3g(5) of the National Highways Act, 1956, the petitioners are granted liberty to make petition under the above mentioned Act before the appropriate authority. However, the representation made by the petitioners are unanswered by the Respondent No.3, therefore, the Respondent No.3 is directed to take decision on the same at the earliest in accordance with law.
6. With the aforesaid observation/direction, the writ petition stands disposed off.
7. It is made clear that no observation has been made on merits in deciding the writ petition.

Sd/-
(Rajendra Chandra Singh Samant)
Judge