

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(C) No. 4843 of 2021**

Rajkumari W/o Naresh Agrawal, Aged About 50 Years R/o Village Memra,
Tehsil Pithora, District Mahasamund (Chhattisgarh).

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Post And PS Mandir Hasaud, Naya Raipur (Chhattisgarh)
2. Collector, Mahasamund, District Mahasamund (Chhattisgarh),
3. Sub Divisional Officer (Revenue) Cum Land Acquisition Officer Pithora, District Mahasamund (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Varun Sharma, Advocate

For Respondents/State : Mr. R.K. Bhagat, G.A.

Hon'ble Shri Rajendra Chandra Singh Samant**Order on Board****02.12.2021**

Heard

1. It is submitted by the learned counsel for the petitioner that the petitioner is owner of the land bearing Kh. 1177/1, measuring 0.066 hectares, situated in village Memra, P.C. No.31/9, Tahsil Pithora, District – Mahasamund, out of which 0.20 hectares of the land was acquired for construction of road by the State authorities in the year 2017. The consent of the petitioner was taken under the Land Purchase Policy, 2016 for acquisition. The land acquired has been utilized for construction of road. Respondent authorities have

determined compensation/consideration of Rs.14,89,530/- but the same has not been paid to the petitioner so far. The petitioner has filed representation, before the respondent No.2 regarding non-payment of compensation/consideration, which is pending without any decision. Therefore, it is prayed that the respondents authorities be directed to consider and take decision on the representation filed by the petitioner. It is also submitted that appropriate interest may also be awarded on the unpaid compensation/consideration as per Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Learned State counsel opposes the petition and the submissions made in this respect. It is submitted that the land has been purchased from the petitioner under the Purchase Policy of 2016, therefore, the provisions under Section 80 of the Act, 2013 shall not be applicable in this case.
3. Considered on the submissions. After perusing the documents present on record, this petition is disposed off at motion stage. The respondents No.2 and 3 are directed to consider on the representation filed by the petitioner at the earliest within a period of 60 days from today and they may also consider on the grant of interest on the unpaid amount of consideration/compensation if it is permissible in accordance with the law.
4. With these observations, this petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge