

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 5244 of 2021**

1. Sheshdev Pradhan S/o Shri Sudhakar Pradhan Aged About 46 Years R/o Village Matidarha, Tahsil Pithora , District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh
2. Vasudev Pradhan S/o Shri Sudhakar Pradhan Aged About 48 Years R/o Village Matidarha, Tahsil Pithora, District Mahasamund Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management , Mahanadi Bhawan, Mantralaya , Atal Nagar , Naya Raipur , District Raipur Chhattisgarh.
2. State Of Chhattisgarh Through Secretary, Department Of Water Resources , Mahanadi Bhawan, Mantralaya , Atal Nagar , Naya Raipur , District Raipur Chhattisgarh.
3. Collector Mahasamund District Mahasamund Chhattisgarh.
4. Sub Divisional Officer (Revenue) / Land Acquisition Officer Pithora, District Mahasamund Chhattisgarh.
5. Tahsildar Pithora District Mahasamund Chhattisgarh.
6. Executive Engineer Water Resources Division, Mahasamund , District Mahasamund Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Surfaraj Khan, Advocate.
For State	:	Mr. Chandresh Shrivastavs, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.12.2021**

1. The present writ petition has been filed by the petitioners for an appropriate direction to the respondents No. 3 and 4 to take appropriate steps and measures ensuring compensation in-respect-of land belonging to the petitioners which stands acquired and deposited with the respondent No. 4 to be released at the earliest. The petitioners are also claiming interest on the said amount.
2. Learned Counsel appearing for the respondents/State submits that subject to due verification of facts, the compensation lying deposited with the respondent No. 4 can be ordered to be released. However, as regards the interest part, the State counsel submits that the petitioner would have to raise a fresh claim before the respondent No. 3. ventilating their grievances which shall be looked into and an appropriate decision in accordance with law would be passed.
3. Considering the facts and circumstances of the case, particularly, the submission that has been made by counsel appearing on either side, the present writ petition at this juncture is disposed of directing the respondent No. 4 to consider the claim of the petitioners for release of the compensation amount as determined in the award and which is said to be lying with the respondent No. 4, to be released to the petitioner after due verification of the entitlement, as also upon scrutiny of the identification of the petitioners qua the award, at the earliest preferably within a period of 90 days.
4. As regards the claim of interest, the petitioners are at liberty to approach the respondent No. 3 by moving an appropriate

application under Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act of 2013. The respondent No. 3 in-turn shall duly consider the same and take an appropriate decision in accordance with law within a further period of 90 days.

5. The present writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge