2024:CGHC:46620

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 1355 of 2024

1 - Abhayram Patel S/o Motiram Patel Aged About 68 Years R/o Village Basantpur Tehsil Dabhara District - Sakti Chhattisgarh

... Petitioner

versus

1 - Rajesh Sukumar Toppo Secretary Water Resource Department Mantralaya Mahanadi Bhawan Raipur Naya Raipur District Raipur, Chhattisgarh

2 - Indra Jeet Uike Engineer In Chief Shivnath Bhawan, Naya Raipur, District - Raipur, Chhattisgarh

3 - D.K. Bhumerkar Chief Engineer Mini Mata Bango Project Bilaspur District - Bilaspur Chhattisgarh

4 - Virendra Kanwar Executive Engineer Water Resource Survey And Bairaj Construction Division No. 1 Kharsiya District - Raigarh Chhattisgarh (Formal Party As He Has Complied His Part)

5 - Baleshwar Ram Sub Divisional Officer Cum Land Acquisition Officer Dabhara, District - Sakti Chhattisgarh (Formal Party As He Has Complied His Part)

... Respondents

For Petitioner	**:**	Ms. Apurva Nigam, Advocate
For Respondents	**:**	Mr. Kanwal Jeet Singh Saini, Advocate

(Hon’ble Shri Justice Arvind Kumar Verma)

Order on Board

ASHUTOSH MISHRA

Digitally signed by ASHUTOSH MISHRA
Date: 2024.11.28 10:53:27 +0530

27/11/2024

1. The instant contempt petition has been filed alleging non-compliance of the order passed by this Court in WPC No.5480 of 2022 dated 12/12/2022, wherein the petitioner was granted liberty to make representation before Respondents No.3 or 4 therein within a period of 30 days for grant of interest from the date the actual possession was taken from the petitioner till date the award was passed and Respondent No.3 or 4 therein were directed to take an appropriate decision strictly in accordance with law within a period of 90 days from the date of receipt of the representation.

2. Learned counsel for the petitioner would submit that till date no amount of interest has been paid to the petitioner, therefore, there is deliberate disobedience of the order passed by this Court.

3. Per contra, learned counsel for the respondents would place on record the copy of the order dated 17/10/2024 issued by the Sub Divisional Officer (Revenue)-cum-Land Acquisition Officer, Dabhara addressed to the Executive Engineer, Water Resources Survey and Barrage Construction Division No.1, Kharsia, District Raigarh, which is taken on record, wherein the computation chart has been prepared and the Executive Engineer has been asked to make available the amount of Rs.5,69,51,032.00 so that the amount can be disbursed to the respective petitioners. He would further submit that they may be granted 45 days time to disburse the amount to the petitioner pursuant to the computation chart prepared by the SDO.

4. I have heard learned counsel for the parties and perused the material

available on record with utmost circumspection.

5. Considering the facts and circumstances of the case. Since the submission has been made by learned counsel for the respondents that they will make the payment within a period of 45 days from today, the contempt petition is disposed of with a direction to the respondents to comply the order of this Court within a period of 45 days from today. Rule is discharged.

6. However, it is made clear that if the amount is not disbursed within the specified time period, the petitioenr would be at liberty to approach before this Court in an appropriate proceedings.

SD/-

(Arvind Kumar Verma)

JUDGE

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