YOGESH TIWARI
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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5411 of 2026

1 - Koma Bhagat S/o Dhani Aged About 70 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

2 - Jeet Narayan S/o Chhotan Aged About 32 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

3 - Jageshwar Ram S/o Nagaram Aged About 63 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

4 - Lalaram S/o Pokala Aged About 55 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

5 - Ganesh Uraon S/o Deep Narayan Uraon Aged About 35 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

6 - Sanjay Uraon S/o Chenga Aged About 40 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

7 - Komal Sai Maheshwar Ram Aged About 22 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

8 - Vindeshwar S/o Anganu Aged About 58 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

9 - Anima D/o Firturam Aged About 28 Years All R/o Village Natwar Nagar, Tahsil Samri (Kusmi), District Balrampur Ramanujganj (C.G.)

... Petitioners

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur (C.G.)

2 - Superintending Engineer Water Resources Division, Balrampur, District Balrampur Ramanujganj (C.G.)

3 - Sub Divisional Officer Water Resources Division, Kusmi, District Balrampur Ramanujganj (C.G.)

4 - Executive Engineer Water Resources Division, Balrampur, District Balrampur Ramanujganj (C.G.)

5 - Collector District Balrampur Ramanujganj (C.G.)

6 - Sub Divisional Officer (R) / Land Acquisition Officer, Kusmi, District Balrampur Ramanujganj (C.G.)

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	**:**	Mr. Sushobhit Singh, Advocate
For State	**:**	Mr. Amit Nayak, P.L.

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

28.10.2026

1. By filing the present writ petition, the petitioners seek a direction to the respondent authorities to conclude the pending land acquisition proceedings in respect of their lands acquired for the construction of Benganga Jalashay Yojana at Village Natwar Nagar, Block Kusmi, District Balrampur-Ramanujganj (C.G.), and to pass the final award and disburse compensation in accordance with the provisions of the Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The petitioners have prayed for following relief(s):-

> *"10.1. That, this Hon'ble may kindly be pleased to issue appropriate writ, order, direction and direct the respondent authorities to conclude the pending acquisition proceedings and pass final award disburse compensation in favour of petitioners within stipulated period of time.*
>
> *10.2. That, this Hon'ble Court may kindly be pleased to issue appropriate writ, order, direction in the nature of mandamus directing the respondents to perform their duties as per RFCTLARR Act, 2013 and grant suitable compensation after due compliance with the provisions of Section 26, Section 29, Section 30 read with Schedule I of the 'Act of 2013'.*
>
> *10.3. That, this Hon'ble Court may kindly be pleased to issue suitable writ, order, direction directing the respondents to perform their duties as per Section 80 of the RFCTLARR Act, 2013 and grant interest from the year 2014 till the actual payment of compensation to the petitioners.*
>
> *10.4. That, this Hon'ble Court may kindly be pleased to grant any other relief as it may deems fit and appropriate.*"

2. Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the order dated 20.12.2024 passed by the coordinate Bench of this Court in WPC No.

6273/2024. He further submits that the only difference between the aforesaid case and the present case is the name of the village, whereas the project in question, namely, Benganga Jalashay Yojana, is the same. It is contended that the respondent authorities have taken possession of the petitioners' lands in the year 2014, but the acquisition proceedings have not been brought to their logical conclusion and the petitioners have not been paid compensation till date. Learned counsel, therefore, prays that the present writ petition may also be disposed of in terms of the order passed by the coordinate Bench of this Court in WPC No. 6273/2024, on the ground of parity.

3. Learned State counsel concurs with the submissions made by learned counsel for the petitioners and submits that the present writ petition may also be disposed of in terms of the order dated 20.12.2024 passed by the coordinate Bench of this Court in WPC No. 6273/2024.

4. Having considered the submissions made by learned counsel for the parties, it appears that the petitioners are seeking relief in respect of the land acquisition proceedings initiated for the construction of Benganga Jalashay Yojana and are seeking completion of the acquisition proceedings and payment of compensation in accordance with law. Since the parties submit that the issue involved in the present writ petition is similar to the issue considered by the coordinate Bench of this Court in WPC

No. 6273/2024, decided on 20.12.2024, it would be appropriate to reproduce the relevant directions issued therein:

> *“2. Learned counsel appearing for the petitioners submits that the petitioners are resident of Ghutaradeeh, Tahsil Samari Kusmi, District Balrampur-Ramanujganj. The petitioners are the owners of land as mentioned in the description of the petitioners in the cause title. The land of the petitioners came under the sub-merged area of "Benganga Jalashya Yozna". Based on the representation made and also considering the fact that the land of petitioners along with other villagers got sub-merged, the proceedings of land acquisition were initiated. It is contended that the respondent authorities also conducted spot verification and prepared a list of affected persons indicating the name of affected persons under the "Benganga Jalashya Yozna". He further contended that the name of the village "Ghutaradeeh" is also included in the list of villages from which the lands were acquired. It is next contended that the petitioners submitted oral as well as written representations requesting the respondent authorities to pass an award in favour of the affected persons with respect to the land acquired of the villages mentioned therein. However, till date, the land acquisition proceedings has not been completed and the petitioners have not been paid the amount of compensation, to which they are entitled.*

Therefore, he prays that a suitable direction be issued to the respondents to conclude the land acquisition proceeding and pay the amount of compensation at the earliest.

3. Learned counsel for the State would submit that if direction is issued to the respondents to conclude the land acquisition proceedings based on the documents placed on record, it shall be complied with in accordance with law.

4. I have heard learned counsel appearing for the parties and perused the documents placed on the record.

5. From a perusal of the documents and facts narrated by the petitioners, it appears that the land of the petitioners came under the sub-merged area of "Benganga Jalashya Yozna". Also, the petitioners have filed the revenue documents showing the land recorded in their names. It is apparent that till date, neither the land acquisition proceeding has been completed nor the award has been granted nor compensation has been granted.

6. Given the above-facts, without commenting anything on the merits of the case, at this stage, this petition is disposed of directing the respondents to conclude the land acquisition proceedings and pay the amount of compensation to the petitioners in accordance with law, if their lands are acquired and affected in the water reservoir project, at the earliest, preferably within a period of six

months from the date of receipt of copy of this order.

7. With the aforesaid observations & directions, the writ petition stands disposed of."

5. Having regard to the submissions made by learned counsel for the parties and considering that the issue involved in the present writ petition is similar to the one decided by the coordinate Bench of this Court in WPC No. 6273/2024, vide order dated 20.12.2024, this Court finds it appropriate to dispose of the present writ petition in similar terms. Accordingly, the respondent authorities are directed to conclude the land acquisition proceedings and pay compensation to the petitioners in accordance with law, if their lands have been acquired and affected by the Benganga Jalashay Yojana, at the earliest, preferably within a period of six months from the date of receipt of a copy of this order.

6. With the aforesaid observations and directions, the present writ petition stands disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Yogesh