

(2022) 03 MP CK 0077

In the Madhya Pradesh High Court

Case No : Writ Petition No. 6495 Of 2022

Gita Singh

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 28-03-2022

Acts Referred:

Right To Fair Compensation And Transparency In Land Acquisition Rehabilitation And Resettlement Act, 2013 — Section 11, 19, 21, 22

Citation : (2022) 03 MP CK 0077

Hon'ble Judges : Nandita Dubey, J

Bench : Single Bench

Advocate : D.S.Chouhan, Subodh Kathar

Final Decision : Disposed Of

Judgement

Nandita Dubey, J

The grievance of the petitioner is that his land bearing Khasra No.124/2/5 area 0.0080 hectare situated at Village Chandwahi, Tahsil Bahari/Sihawal, District Sidhi has been acquired for the construction of Lalitpur-Singrauli Rail Line by notification under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (for short "Act, 2013").

It is pointed out by the learned counsel for the petitioner that the petitioner's land finds place in the notification dated 23.6.2017 despite that by notice issued under Sections 21 & 22 of the Act, 2013, the compensation has been proposed to be granted to one Ram Sujan Singh taking entire land. It is pointed out that in the family partition, the land has already been partitioned and the respective share has been given to the petitioner and other co-owners and their names have also been mutated, which is reflected from the earlier notification dated 23.6.2017 issued under Section 19 of the Act, 2013. It is submitted by the learned counsel for the petitioner that a representation in this regard has already

been preferred before the concerned Land Acquisition Officer, however, till date no action has been taken on the same. It is prayed that the authority concerned be directed to decide the petitioner's representation first before releasing the compensation amount to any of the parties.

Learned counsel for the respondents/State has no objection to the said innocuous prayer.

Considering the aforesaid, this petition is disposed of with a direction to the respondent No.2/Land Acquisition Officer, Sidhi to consider and decide the pending representation/objection of the petitioner as per law within a period of 60 days from the date of receipt of certified copy of the order passed today by this Court before releasing the compensation/awarded amount in respect of Khasra No.124/2/5.

It is made clear that this Court has not opined on the merits of the case.

With the aforesaid direction, this petition stands disposed of.