

(2024) 05 MP CK 0080

In the Madhya Pradesh High Court

Case No : Writ Petition No. 2583 Of 2024

Raimuniya Devi And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 09-05-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Coal Bearing Areas (Acquisition And Development) Act, 1957 — Section 14(6)

Citation : (2024) 05 MP CK 0080

Hon'ble Judges : Gurpal Singh Ahluwalia, J

Bench : Single Bench

Advocate : Ruchir Jain, Jubin Prasad, Dilip Parihar

Final Decision : Dismissed

Judgement

Gurpal Singh Ahluwalia, J

1. This petition under Article 226 of the Constitution of India has been filed seeking the following reliefs :-

(i) Hon'ble Court may kindly be pleased to direct the respondent no. 6 to consider the representation preferred by the petitioners and further apportioned the award in favour of the petitioners for the land bearing Khasra no. 155.

(ii) Any other relieves or orders which this Hon'ble Court deemed fit and proper under the facts and circumstances in the interest of justice.

2. It is submitted by counsel for the petitioners that father of respondent no. 7 has sold Khasra no. 155 to the husband of petitioner no.1 by a registered sale deed but on account of typographical error, name of husband of petitioner no. 1 was mutated in the revenue records in respect of Khasra no. 150. It is further submitted that thereafter respondent no. 7 had also filed an application before the S.D.O. for correction of the entry but ultimately, the said application was dismissed for want of prosecution.

3. Considered the submissions made by counsel for the petitioners.
4. The lands of the petitioners have been acquired under the provisions of the Coal Bearing Areas (Acquisition and Development) Act, 1957 and if there is a dispute as to the person or persons entitled to compensation, then it is for the Tribunal to apportion the amount thereof among such persons in such manner as think fit.
5. Accordingly, counsel for the petitioners seeks permission of this Court to withdraw this petition with liberty to approach the Tribunal under Section 14 (6) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 as well as to get Khasra entry corrected by approaching the revenue authorities.
6. With aforesaid liberty, the petition is dismissed as withdrawn.