

(2019) 09 CHH CK 0113
In the Chhattisgarh High Court
Case No : Writ Petition (C) No. 3274 Of 2019

Ramesh Agrawal And Ors

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 18-09-2019

Acts Referred:

Citation : (2019) 09 CHH CK 0113

Hon'ble Judges : Goutam Bhaduri, J

Bench : Single Bench

Advocate : Kamal Kishore Patel, Astha Shukla

Final Decision : Disposed Of

Judgement

Goutam Bhaduri, J

1. Heard.

2. Learned counsel for the petitioners submits that the land of the petitioners were acquired by order dated 22.11.2018, however, the amount of award

was not disbursed till date, therefore, in addition to the amount of award, the petitioners are also entitled interest on the award under section 80 of the

Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (for short "the Act of 2013).

3. Section 80 of the Act of 2013 reads as under "80. Payment of interest.- When the amount of such compensation is not paid or deposited on or

before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of nine per cent, per annum from the

time of so taking possession until it shall have been so paid or deposited: Provided that if such compensation or any part thereof is not paid or deposited

within a period of one year from the date on which possession is taken, interest

at the rate of fifteen per cent, per annum shall be payable from the date of expiry of the said period of one year on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry.

4. Considering the fact that the petitioners have not been paid the amount of award, the State/respondents are directed to make payment within a further period of 30 days from the date of presentation of a copy of this order.

5. It is further clarified that if the petitioners move an application before respondent No.3, about the entitlement of the interest from the date the possession has been taken till the date of actual payment, the same shall also be decided within a further period of 90 days from the date of representation.

6. With the above direction/observation, this writ petition stands disposed of.