
(2019) 10 CHH CK 0146
In the Chhattisgarh High Court
Case No : Writ Petition (C) No. 3726 Of 2019

Sulendari	Vs	APPELLANT
State Of Chhattisgarh And Ors		RESPONDENT

Date of Decision : 18-10-2019

Acts Referred:

Citation : (2019) 10 CHH CK 0146

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : Ravindra Sharma, Ayaz Naved, Rahim Ubwani

Final Decision : Disposed Of

Judgement

P. Sam Koshy, J

1. The dispute in the present writ petition confines to the property situated in Khasra No.2/3 at Village Loharin Dongari, Tehsil Pithora, District Mahasamund.

2. The contention of the petitioner is that, the original measurement of that property was of 400 sq. meters, of which the respondent authorities in June, 2013 have acquired 300 sq. meters of land for the purpose of widening/ construction of road and the petitioner was also paid compensation for the said piece of land. The grievance of the petitioner now is that, the petitioner's remaining 100 sq. meters of land on the said Khasra No. i.e. 2/3 is also being taken away by the respondents unauthorizedly on the pretext of widening of road. He further submits that there has been no acquisition proceeding for the said 100 sq. meters of property. Neither has the petitioner being paid any compensation for the said land. Therefore, in the absence of property being acquired, the respondent authorities should be restrained from firstly using

that land for widening of road and also should be restrained from raising further development works unless he is paid with appropriate compensation.

3. Considering the fact that dispute revolves around only 100 sq. meters of land belonging to the petitioner in Khasra No.2/3 in village Loharin Dongari,

Tehsil Pithora, District Mahasamund and also taking note of the fact that 300 sq. meters of land of the same Khasra number has already been

acquired by the respondent authorities, ends of justice would meet if the respondents No.2,4 and 5 are directed to verify the grievance of the petitioner

and to ascertain whether that 100 sq. meters of land in Khasra No.2/3 in the said village is also being used by the respondent authorities for

widening/construction of road. If that be so, then the respondent authorities should ensure whether the appropriate proceedings for acquisition is done

and the petitioner is suitably compensated for the land which is being used by the respondents for the said purpose.

4. Let the petitioner approach the respondents No.2,4 and 5 within a period of 15 days by making a detailed representation supported with all relevant

records and documents in respect of the same and the said respondents, on due consideration of the representation, shall pass an appropriate order

redressing the grievance of the petitioner at the earliest preferably within a period of six months from the date of receipt of representation.

5. The writ petition accordingly stands disposed of.