
(2023) 12 CHH CK 0051

In the Chhattisgarh High Court

Case No : Writ Petition (C) No. 5131, 5132, 5133, 5134, 5135, 5136, 5138, 5139, 5141, 5142, 5143, 5144, 5145, 5147, 5148, 5149, 5150, 5151, 5154, 5155, 5156, 5157, 5158, 5159, 5160, 5161, 5164 of 2023

Yadram Pal

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 21-12-2023

Acts Referred:

Citation : (2023) 12 CHH CK 0051

Hon'ble Judges : Naresh Kumar Chandravanshi, J

Bench : Single Bench

Advocate : Sanjay Kumar Agrawal, Rahul Jha, Sandeep Dubey

Final Decision : Disposed Of

Judgement

1. Heard.
2. Issue notice to the respondents.
3. Since Shri Rahul Jha, Govt. Adv. accepts notice on behalf of respondents No. 1 to 4 and Shri Sandeep Dubey, Adv. accepts notice on behalf of respondent No. 5 and 6, therefore, notice need not be issued to them.
4. With consent of the learned counsel for the parties, heard the matter finally at motion stage.
5. Since similar issue is involved in all these writ petitions, they are heard together and disposed of by this Common order. For convenience, WPC no. 5131/2023 is treated as leading case.
6. The petitioner is land owner of Khasra No. 120 (other petitioners are land owner of khasra numbers mentioned in their respective petitions) at village Palod, Tahsil Arang-Abhanpur, district Raipur and he is also having possession of aforesaid land by cultivating paddy, wheat etc. to earn their livelihood. He would further submit that in the year 2011, land acquisition proceeding was initiated

and award was passed on 1-6-2013, which was put to challenge by the petitioner by filing WPC No. 1164/2014, in which, vide order dated 19-8-2014 (Annexure P-2), order of status quo in respect of possession was passed in favour of the petitioner. Thereafter, till date, the petitioner is having possession over the aforesaid land. He would further submit that prior to and after 2014, the petitioner is continuously cultivating aforesaid land. Despite that, the respondent authorities are not getting registered the petitioner's aforesaid land for purchase of paddy cultivated from it, therefore, the petitioner has filed representation Annexure P-4 before the Collector, Raipur and also given copy of the same to various authorities like Land Acquisition Officer, Branch Manager, District Cooperative Central Bank, Mandir Hasaud, and Tahsildar, Aarang for redressal of his grievance, but it has not been considered and decided yet, therefore, learned counsel for the petitioner submits that this petition may be disposed of directing the respondent No. 2 to consider and decide his representation Annexure P-4, as early as possible.

7. Per contra, learned State counsel would submit that in WPC No. 1164/2014, order of only status quo with regard to possession on the land has been passed in favour of the petitioner, but land acquisition award has not been stayed. However, he submits that so far as deciding the representation of the petitioner (Annexure P-4) is concerned, this Court may pass appropriate order.

8. Having heard learned counsel for the parties, particularly considering the limited prayer made by the learned counsel for the petitioner that, his representation, made to the Collector and various other authorities/respondents, be considered and decided, this petition is disposed of, at this juncture, directing the respondent No. 2/Collector, Raipur to consider and decide the representation (Annexure P-4) filed by the petitioner so far as it relates to registration of aforesaid agricultural land of the petitioner, in which alleged paddy has been cultivated, as early as possibly, preferably by 15-1-2024.

9. Petitioner is directed to submit a copy of this order along with a copy of their respective writ petitions before the Collector, Raipur for compliance.