



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2091 of 2023

- Smt. Prema Gulab Xalxo W/o Shri Beyatum Xalxo Aged About 46 Years R/o Village Kersai, Thana Tapkara, Tahsil Farsabahar, District Jashpur Chhattisgarh
---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretaey, Public Works Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur District Raipur Chhattisgarh
2. The Collector District Jashpur Chhattisgarh
3. The Sub Divisional Officer (Revenue) Farsabahar, District Jashpur Chhattisgarh
4. The Executive Engineer Public Works Division, Jashpur, District Jashpur Chhattisgarh
---- Respondents

For Petitioner	:	Mr. Somkant Verma and Mr. Manoj Chauhan, Advocates.
For resp./State	:	Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/05/2023

Heard.

1. Learned counsel for the petitioner submits that the petitioner is land holder at village Kersai. He is the owner of the land bearing Khasra No. 240/2 & 427/1, R.I. Circle Farsabahar Tahsil Farsabahar District Jashpur. He would submit that the State Highway is being constructed and widening of road is being done on the route Kunkuri – Lawakera. He would submit though the land of the petitioner is being acquired by force, neither the compensation is paid nor any proceeding for compensation is drawn. Therefore, the respondent authorities may be directed to acquire the land in accordance with law.
2. It has been contended that the land of the petitioner is being acquired for widening / construction of the road in between Kunkuri – Lawakera. If the land is acquired without any lawful acquisition it will offend to Article 300A of the Constitution. In view of this, considering the limited prayer of the petitioner, the respondent



No.2, 3 & 4 are directed to demarcate the land of the petitioner and if it is found that the said land falls within the ambit of the affected area of construction of road then in such case the proceeding for acquisition of the land be made in accordance with law and thereafter the adequate compensation be paid to the affected person. The said process be completed within the outer limit of six months.

3. With the aforesaid observation, the petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Jyoti

