

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2126 of 2020**

Pavitro Mohan Yadav S/o Jagbandhu, Aged About 50 Years, Resident
Of Village- Golabuda, Tahsil- Dharamjaigarh, District- Raigarh,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh
2. The Collector, District- Raigarh, Chhattisgarh
3. The Sub-Divisional Officer (Revenue) Dharamjaigarh, District- Raigarh, Chhattisgarh
4. The Engineer-In-Chief, Public Works Department, Raipur, Chhattisgarh
5. The Assistant Engineer, Public Works Division, Dharamjaigarh, District- Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	None
For State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****30.09.2020**

1. The grievance of the petitioner in the present writ petition seems to be the highhandedness on the part of the respondents in taking over the land owned by the petitioner bearing Khasra No.262/1 measuring 2.213 hectares (5.46) acres situated at village Golabuda, P.H. No.22, Tahsil Dharamjaigarh, District Raigarh.

2. According to the petitioner, the respondents had without any intimation, notice or consent of the petitioner in the year 2013 entered upon the petitioner's property and constructed a road on it. However, till date, he has not been paid any compensation for the same which has led to the filing of the present writ petition. According to the petitioner, the act on the part of the respondents is a clear violation of the provisions of Article 300-A of the Constitution of India.
3. State counsel, at this juncture, submits that the construction of the road seems to be under the Mukhya Mantri Gram Sadak Yojana where the land is taken on the consent of the land owners and in that event, compensation is not paid and this fact needs to be verified in the present writ petition.
4. Given the said submission by the counsel for the State, this Court is of the opinion that the present writ petition, at this juncture, can be disposed of directing the petitioner to move a detailed representation before the respondents 2 & 3 in respect of his grievance and the respondents 2 & 3 in turn, on due scrutiny of the facts, shall consider the same and take an appropriate decision at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge