

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 749 of 2020**

Devendra Kumar Tiwari S/o Late Shri Yadunandan Prasad Tiwari Aged About 85 Years
Occupation Cultivator, R/o Village Adbhar, Tahsil Sakti, District : Janjgir-Champa,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, D.K.S. Bhawan, Police Station Civil Line, Nava Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. The Collector, Janjgir, Police Station Janjgir, District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer, Through Its Publics Works Department (Road) Sub Division Sakti, Police Station Sakti, District : Janjgir-Champa, Chhattisgarh

--- Respondents

For Petitioner : Mr. Ravi Ranjan Sinha, Advocate

For Respondent- : Ms. Richa Shukla, Dy. G.A.
State

S.B. - Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****30.11.2021**

1. Heard on petition.
2. The is raised that the petitioners have acquired land of 12 decimal out of 0.81 decimal of Khasra No. 600/1 and 15 decimal land was acquired out of 00.8 acre of Khasra No. 412/1. The award has been determined only for the acquisition of the land bearing Khasra No. 600/1 and no compensation has been determined for acquisition of land bearing Khasra No.412/1. The petitioner has preferred an application under Section 64 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (For short "the Act of 2013") before Collector, which is still pending. Hence, this petition has been filed.

3. State counsel opposes the submission and submits that the petition may be disposed of with direction to the Collector to dispose off the representation made by the petitioner under Section 64 of the Act of 2013.
4. After considering on the submissions this petition is disposed of at motion stage.
5. As the dispute has been raised by the petitioner under Section 64 of the Act of 2013 before the Collector which is a competent Authority to determine the same, therefore, the reference so made may be adjudicated. The petitioner is granted liberty to file fresh representation under Section 64 of the Act of 2013 before the Respondent No.2 within a period of 15 days from today and Respondent No.2 is directed to reconsider the representation and take decision on the same at the earliest within a period of 90 days.
6. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge