

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 1142 of 2017

M/s Singhania Agriculture & Properties Company **Versus** Union Of India

12/05/2017	Shri Sumesh Bajaj, counsel for the petitioner/s. Shri Shiv Sahu, counsel for Union of India/resp. No.1. Smt. Fouzia Mirza, counsel for respondent No.2. Shri Dhiraj Wankhede, Govt. Advocate for the State. Reply of respondents have been filed. Petitioner may file rejoinder in three weeks. Heard on I.A.No.1, application for grant of interim relief. Learned counsel for the petitioner submits that petitioner's land is comprised in khasra No.536/3-च and 536/3-प, total admeasuring 8500 sq. mtrs., but this land has not been included in the land acquisition proceedings under any of the notifications or the award. Therefore, the action of the respondent in constructing the national highway is illegal. Learned counsel for the respondents submits that in fact, khasra No.536/3-च and 536/3-प both form part of main khasra no.536 which is included in the notification for acquisition for construction of national highways. It is submitted that the compensation determined for khasra no.536, total admeasuring 10980 sq.mtrs. includes petitioner's land admeasuring 8500 sq.mtrs., for which appropriate compensation would be awarded to the petitioner, if the petitioner approaches the competent authority. Considering the aforesaid submission of learned counsel for the parties, I am not inclined to grant any interim relief to stay construction of national highway.

Application (I.A.No.1) is rejected.

The matter be listed after vacation.

Sd/-
(Manindra Mohan Shrivastava)
Judge

