

Chhattisgarh High Court**Padmawati @ Mantora Dansena vs The State Of Chhattisgarh on 3 September, 2025**

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2025:CGHC:44846

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 4678 of 2025

1 - Padmawati @ Mantora Dansena D/o Shivnandan Dansena Aged About 54 Years R/o Lakha, New Lakha, Gerwani, Tehsil And District Raigarh C.G.

Jagatram Dansena And Mother Late Nankun R/o House No. 104, Bich Basti, Sondka, C.G.

2 - Nandram Dansena S/o Bai Aged About 50 Years Tahsil And Distt. Raigarh

3 - Gayawati Dansena D/o Shivnandan Dansena, W/o Kanthi Ram Dansena Aged About 58 Years R/o Tahsil Malkharauda, Village Bhanta, Distt.- Janjgir-Champa C.G.

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by VASANT

Petitioner(s) VASANT KUMAR

Date: KUMAR 2025.09.03

versus

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1 - The State Of Chhattisgarh Through Secretary Revenue And Disaster Management, Mahanadi Bhawan, Atal Ngar, Raipur, Distt.- Raipur C.G.

Distt.- Raigarh C.G.
Cum Land Acquisition

2 - The Collector Raigarh,
3 - The Sub - Divisional Officer (Revenue)
Officer, Raigarh, Distt. Raigarh C.G.

4 - The Branch Manager, H D F C Bank Raigarh, Distt.- Raigarh C.G.

5 - Smt. Sunai W/o Late Palu Ram Aged About 57 Years R/o Village Lakha, New Lakha, Gerwani, Tahsil And Distt.- Raigarh C.G.

6 - Naresh S/o Late Palu Ram Aged About 23 Years R/o Village New Lakha, Gerwani, Tahsil And Distt.- Raigarh C.G.

Lakha,

---- Respondents

For Petitioners : Mr. Rahul Mishra, Advocate For State : Ms. Poorva Tiwari, PL Hon'ble Shri Justice Arvind Kumar Verma Order on Board 03/09/2025

1. By way of this petition, petitioner sought following relief(s) :

"10.1 That, the Hon'ble Court may kindly be pleased to direct the respondent no. 2 & 3 to refer the dispute regarding apportionment of awarded compensation for decision to the Court as per provision of Land Acquisition Act 1894 or Section 76 of new Land Acquisition Act 2013.

10.2 That, the Hon'ble Court may kindly be pleased to direct respondent no. 3 to decide the pending representation of the petitioners in accordance with law.

10.3 That, the Hon'ble Court may kindly be pleased to direct the respondent no. 4 not to disburse the awarded amount till the decision of the competent Court regarding apportionment of awarded amount in the interest of justice.

10.4 That, the Hon'ble Court may kindly be pleased to issue any other relief(s)/ order(s)/ direction(s) in favour of petitioners, which deemed fit & proper in the facts & circumstances of the case, in the interest of justice."

2. Learned counsel for the petitioners contended that by this writ petition the petitioners are not challenging any particular order but they are challenging illegal, arbitrary action on the part of respondent no. 3 whereby the respondent no. 3 is not giving the share of the compensation to petitioners in lieu of the land of petitioners has been acquired. It is respectfully submitted that, the land bearing khasra no. 145/1 rakba 1.246 hec. and land bearing khasra no. 145/3 rakba 0.417 hec. situated at Village Lakha, Tahsil & Distt. - Raigarh were recorded in the name of Shivnandan and Raghunandan, since the Raghunandan had no issues/successor and the Shivnandan had 3 daughters and 2 sons namely Nankun Bai, Padmawati @ Mantora, Palu Ram, Gayawati, Sadhuram. It is respectfully submitted that, Late Shivnandan is Father of petitioner no. 1 & 3 and Grandfather of petitioner no. 2. It is further respectfully submitted that, the said land of Late Shivnandan has been acquired in revenue case no. 58/31-82/2011-12 for KELO Project Raigarh by the respondent no. 3. The compensation of Rs. 74,97,919, (Seventy-Four Lakhs Ninety Seven Thousand Nine Hundred Ninety Rupees) has also been awarded to one son of Late Shivnandan namely Late Palu Ram which has been deposited in bank 50100053497002, 50100053496901 & 50100053496723 of HDFC Bank Raigarh Distt. Raigarh (C.G.) i.e. respondent no. 4. It is respectfully submitted that, vide order dated 13.01.2015, the respondent no 3 has passed order directing the respondent no. 4 to withhold the

said amount. It is further respectfully submitted that, the petitioners submitted application before the respondent no. 3 for disbursement/apportionment of the above mentioned awarded compensation to the legal heirs of Shivnandan thereafter the respondent no. 3 has sought report from the concerned Halka Patwari but no final order has been passed by the respondent no. 3 till date. The petitioners have again submitted 15.07.2025 for representation on disbursement/apportionment of the above mentioned awarded amount to them but the respondent no. 3 is not taking any action. It is further respectfully submitted that, as per Section 30 of Land Acquisition Act 1894, when the amount of compensation has been settled under Section 11, if any dispute arises as the apportionment of the same or any part thereof, or as to the persons to whom the same or any part thereof, is payable, the Collector may refer such dispute to the decision of the Court but the respondent no. 3 neither sending the matter before the Court having jurisdiction nor taking any action on the representation of petitioners. Hence, this petition.

3. Learned State counsel contended that the concerned authority is ready to consider and decide the representation of the petitioner as per law.

4. I have heard learned counsel for the parties and perused the documents with utmost circumspection.

5. Considering the facts of the case and submission made by counsel for the respective parties, this writ petition is disposed of directing to respondent No.3 - Sub Divisional Officer (Revenue)-cum- Land Acquisition Officer, Raigarh, District Raigarh (C.G.) to consider and decide the representation filed by the petitioner vide Annexure P-4 expeditiously preferably within an outer limit of '03 months' from the date of receipt of copy of this order, in accordance with rules, regulations and law.

6. With the aforesaid direction, this petition stands disposed of.

Sd/-

(Arvind Kumar Verma) Judge Vasant

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