
(2019) 09 CHH CK 0032

Chhattisgarh High Court

Case No: Writ Petition (C) No. 3052 Of 2019

Yogesh Kumar Gabel

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 4, 2019

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Govind Ram Miri, Basant Kaiwartya, Avinash Singh, Ashwini Shukla

Final Decision: Disposed Of

Judgement

Goutam Bhaduri, J

1. Heard.

2. It is submitted that by reference to Annexure P-1, the initial award was passed for acquisition of land for construction of the road on 30.07.2016.

Subsequently, as per the National Highway Act, 1956, the matter was referred to the arbitrator and the arbitrator on 17th of August, 2017 passed an

award, whereby directed to enhance the amount and till date despite two years have been passed the respondents are not releasing the amount.

3. Learned counsel for the petitioner would submit that though the repeated efforts have been made to get the amount released, however, despite the recommendation made by the government counsel, the amount has not been released.

4. Perused the documents filed along with the writ petition. The award of the arbitrator is dated 17th of August, 2017, copy of the same is on record.

Considering the same, the award is of the year 2017 and as it is stated that till date the petitioner has not been benefited by such order, the concerned

land acquisition officer is directed to release the amount after due calculation within a period of one month from the date of receipt of copy of this

order. The petitioner's entitlement to interest on the awarded amount is left open to be determined as and when the petitioner makes such prayer and prefers fresh writ petition for which liberty is reserved in his favour.

5. With the aforesaid observation, the writ petition stands disposed of.