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WP-15538-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE ANAND PATHAK

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HON'BLE SHRI JUSTICE B. P. SHARMA

ON THE 4th OF MAY, 2026WRIT PETITION No. 15538 of 2026*SMT. SHANTI SINGH AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Mohan Sausarkar - Advocate for the petitioners.

*Shri Abhijit Awasthy - Additional Advocate General for
respondent/State.*

Shri Anvesh Shrivastava - Advocate for respondent No.3.

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ORDER

Per. Justice B.P. Sharma

This writ petition has been instituted under Article 226 of the Constitution of India seeking issuance of an appropriate writ, order or direction in the nature of mandamus commanding the respondents to release and disburse the compensation amount duly adjudicated in favour of the petitioners in respect of acquisition of their land for the purpose of construction of National Highway.

2. The petitioners are lawful owners of land bearing Khasra Nos.136/5/1/1 and 136/5/2/1 situated at Sohagpur, District Shahdol. The said lands were initially not included in the bulk acquisition undertaken for the construction



of National Highway connecting Umariya to Shahdol. Subsequently, upon realization that the said lands were required for the project and had been left out, the respondents proceeded to acquire the same as “missing plots” under the policy of acquisition through mutual consent policy as per the Circular dated 15.03.2016. The acquisition of the petitioners’ land was undertaken in accordance with the circular dated 15.03.2016 issued by the Ministry of Road Transport and Highways, which specifically provides for acquisition of missing plots through mutual consent in order to avoid delays and facilitate project implementation. Pursuant thereto, the competent authority assessed and determined the compensation payable to the petitioners.

3. As reflected in the award, an amount of Rs. 3,35,40,000/- was adjudicated as compensation for the acquisition of the petitioners’ land. The record further reveals that the proposal along with the award was forwarded to the competent authority for release of payment vide communication dated 02.01.2026. The petitioners thereafter submitted repeated representations requesting disbursement of the compensation amount, including representations dated 05.01.2023 and 11.04.2026, but no action was taken by the respondents. The acquisition having taken place and the land having been utilized for public purpose, the petitioners have been deprived of the compensation amount for a considerable period, compelling them to approach this Court.

4. Learned counsel for the petitioners submits that the entire action of the respondents in withholding the compensation amount is violative of the constitutional rights of the petitioners. It is contended that once the land has



been acquired and the compensation has been duly determined by the competent authority, the respondents are under a mandatory legal obligation to release the said amount without delay. Learned counsel emphasizes that the right to receive compensation for acquired land is an integral facet of the right to property under Article 300-A of the Constitution of India. Non-payment of compensation despite acquisition amounts to deprivation of property without authority of law.

5. Learned counsel appearing for the respondents submits that the acquisition proceedings were undertaken in accordance with the applicable policy and statutory provisions, and that the compensation amount has indeed been determined. However, it is contended that certain administrative formalities and procedural compliance are required before actual disbursement of the amount. It is further submitted that the proposal for payment has already been forwarded to the higher authorities and is under consideration. The delay, according to the respondents, is not deliberate but is attributable to procedural and administrative requirements involved in processing the payment.

6. Having heard learned counsel for the parties at length and upon perusal of the material available on record, this Court finds that the essential facts are undisputed. The land belonging to the petitioners has been acquired for a public purpose, namely construction of a National Highway, and the acquisition has been carried out under the policy of mutual consent as envisaged in the circular dated 15.03.2016. It is further not in dispute that the competent authority has assessed and determined the compensation payable



to the petitioners, and the amount of Rs. 3,35,40,000/- stands adjudicated. The only issue that remains is the failure of the respondents to disburse the said amount.

7. The explanation offered by the respondents regarding administrative delays does not commend acceptance. Once the acquisition is complete and compensation has been determined, the respondents are under a bounden duty to ensure prompt payment. Any delay in payment defeats the very purpose of the statutory scheme and causes grave prejudice to the landowners.

8. The right to receive compensation for acquired land is not a mere statutory entitlement but a constitutional guarantee flowing from Article 300-A. Deprivation of property without timely compensation amounts to arbitrary exercise of power and is violative of Article 14 of the Constitution of India. The policy governing acquisition of missing plots through mutual consent itself contemplates expeditious acquisition and prompt payment to avoid delays and disputes. The very objective of such policy stands frustrated if the landowners, after consenting to acquisition, are made to wait indefinitely for compensation.

9. This Court is of the considered view that once the respondents have themselves quantified the compensation and forwarded the proposal for payment, there remains no justification whatsoever for withholding the amount. Administrative inefficiencies or procedural delays cannot be permitted to override the legal and constitutional rights of the petitioners.

10. Accordingly, the writ petition is allowed. The respondents No.2 and 3



are directed that, if there is no other legal impediment, they shall forthwith take all necessary steps to release and disburse the compensation amount as adjudicated by the competent authority in favour of the petitioners. The said payment shall be made, preferably within a period of eight weeks from the date of receipt of a certified copy of this order.

(ANAND PATHAK)
JUDGE

(B. P. SHARMA)
JUDGE

L.Raj