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IN THE HON'BLE HIGH COURT OF CHHATTISGARH

AT BILASPUR

WRIT PETITION (C) NO. 151 /2015

PETITIONER

: ✓ Smt. Lakheshwari Sahu W/o. Gend Ram
Sahu, aged about : 35 years, R/o.
Village : Amera, Block : Palari, Tahsil :
Palari, Revenue and Civil District :
Baloda Bazar-Bhatapara (C.G.).

WP(C) 151 / 15
1628/15
Presented by Shri. P. C. Patel
Dated: 22/1/15

VERSUS

RESPONDENTS

- 1] State of Chhattisgarh, Through :
The Secretary, Revenue Department
Mantralaya, Raipur, District : Raipur
(C.G.).
- 2] The Collector, Baloda Bazar, District
: Baloda Bazar-Bhatapara (C.G.).
- 3] The Sub Divisional Officer,
(Revenue) Baloda Bazar, District :
Raipur (C.G.).
- 4] Gajju Ram S/o. Ajit Ram Satnami,
aged about : 46 years, R/o. Village :
Amera, Block : Palari, Tahsil : Palari,
Revenue and Civil District : Baloda
Bazar-Bhatapara (C.G.).



WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA .

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WP(C) No.151 of 2015

PETITIONER

Smt. Lakheshwari Sahu

-Versus-

RESPONDENTS:

State of Chhattisgarh & others

Present

Shri Dashrath Kushwaha, counsel for the petitioner.

Shri Gary Mukhopadhyay, Deputy Govt. Advocate for the State.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J.

ORAL ORDER
(23-2-2015)

1. The petitioner has preferred this writ petition seeking direction to the respondent authorities to decide her representation preferred for taking action against respondent No.4, who has encroached the Government land.
2. Learned counsel for the petitioner would submit that respondent No.4 had earlier preferred civil Suit No.143A/09 in the Court of Civil Judge, Class-1, Baloda Bazar seeking declaration of his ownership on the Government land bearing Khasra No.1270/1, area 0.898 hectares at village Amera, RI Circle Palari, District Raipur. The said suit was dismissed on 28.9.2011 and thereafter First Appeal No.49-A/2013 has also been dismissed by the 2nd ADJ, Baloda Bazar on 17.6.2013. Despite the said judgment, the respondents have not taken any action to remove the encroachment made by respondent No.4.
3. Considering the entire fact situation of the case, it is directed that if the petitioner prefers fresh representation before respondent No.3 for redressal of her grievance for removal of encroachment made by respondent No.4, the said respondent shall consider and decide the same as early as possible, preferably within a period of 3 months from the date of submission of representation.
4. With the direction aforesaid, the writ petition is disposed of. However, it is made clear that this Court has not expressed any opinion on the merits of the case.

Barve

Sd/-
Prashant Kumar Mishra
Judge