

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1429 of 2015

Manish Rathore S/o Late Mohan Singh Rathore, Aged About 25 years R/o Banglapara
Narayanpur, District Narayanpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Government Of Chhattisgarh, Mantralaya, Mahandi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Collector Narayanpur, District Narayanpur Chhattisgarh
3. The Sub Divisional Officer (R) Narayanpur, District Narayanpur Chhattisgarh
4. Tahsildar, Tahsil Narayanpur District Narayanpur Chhattisgarh

---- Respondents

Shri Sushil Dubey, counsel for the petitioner/s.
Shri Vinod Tekam, Panel Lawyer for the State.

Order On Board

14/08/2015

The petitioner has challenged order dated 22/07/15 passed by the Collector. A perusal of the order shows that the lease granted to the petitioner was cancelled long back i.e. almost 30 years ago on the ground that after granting lease, he has not taken possession.

2. Learned counsel for the petitioner submits that the respondents' assertion that he had not taken possession in the year 1984-85, is not correct because later on, proceedings of eviction have been issued in the year 2005 on the ground that the petitioner has encroached upon the land. Therefore, this shows that cancellation of his *patta* was bad.

3. The cancellation of lease has not been challenged by the petitioner. The petitioner did not take any steps against the order of cancellation of lease for almost three decades. Therefore, correctness and validity of cancellation of lease cannot be examined at this belated stage.

4. The petition is completely misconceived and is therefore dismissed.

**Manindra Mohan Shrivastava
Judge**