

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.1500 of 2015

Gagan Rathi S/o Shri M.L. Rathi, Aged About 47 Years R/o Mukutnagar, Raigarh,
Tahsil & District Raigarh, Civil & Revenue District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, Raigarh, District Raigarh Chhattisgarh
2. Board Of Revenue, Bilaspur, District Bilaspur Chhattisgarh
3. Ghasia S/o Shri Kaira, R/o Village Bade Atarmuda, Tah & District Raigarh Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manoj Kumar Sinha, Advocate
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

Order On Board

26/08/2015

Heard.

1. This petition has been filed against order dated 19.06.2015 passed by the Board of Revenue.
2. Learned counsel for the petitioner submits that the order earlier passed by the Board of Revenue on 03.12.2010 in the application filed by respondent No.1 has been reviewed by impugned order dated 19.06.2015. He submits that the Board of Revenue has drawn conclusion that earlier order was outcome of fraud. He submits that as in that case, the petitioner was impleaded as one of the respondents, he apprehends that a criminal case may be registered or coercive action may be taken against him also. It is submitted that before passing the order, the petitioner was not heard.

3. After going through the order dated 19.06.2015, I find that the Board of Revenue has reviewed its earlier order passed on 03.12.2010. That was a proceedings instituted in the name of one Ghasia, S/o Kaira. The impugned order goes to show that in the earlier proceedings, no notice was issued to the petitioner nor the petitioner had entered appearance. According to learned counsel for the petitioner, Ghasia has not executed any sale deed in favour of the petitioner in respect of any land.

4. At this stage, the petitioner's apprehension, in the aforesaid conspectus of facts and circumstances emerging from the impugned order, is only a surmise. Therefore, at the instance of the petitioner, I am not inclined to interfere with the order of the Board of Revenue. However, if in future, any action is taken against the petitioner by any authority on the basis of order dated 19.06.2015, the petitioner will have all the liberty to take recourse to remedy as may be available to him under the law for any legal injury.

5. With the aforesaid observations, the petition is disposed off.

Sd/-

Manindra Mohan Shrivastava

J U D G E