

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1448 of 2015

1. Smt. Kaushilya Devi W/o Shiv Kumar Yadav, Aged About 53 Years Resident Of Village Kanakpur, Post Office Chiniya, Police Station & Tahsil Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat & Rural Development, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, Post Office Rakhi, District Raipur (Chhattisgarh)
2. The Commissioner, Mahatma Gandhi Rashtriya Gramin Rozgar Guarantee Prakoshtha, Vikas Bhawan, Raipur, District Raipur (Chhattisgarh)
3. The Collector Balrampur, District Balrampur-Ramanujganj (Chhattisgarh)
4. The Sub-Divisional Officer (Revenue), Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)
5. Pariyojna Sanchalak, Jila Gramin Vikas Adhikaran, Balrampur, District Balrampur-Ramanujganj (Chhattisgarh)
6. The Chief Executive Officer, Jila Panchayat Balrampur-Ramanujganj (Chhattisgarh)
7. The Chief Executive Officer, Janpad Panchayat Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)
8. The Gram Panchayat Kanakpur, Through Its Sarpanch, Post Office Chiniya, Police Station & Tahsil Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)
9. Ram Lal Singh, S/o Rigu Singh, Aged About 40 Years Present Sarpanch, Gram Panchayat Kanakpur, Resident Of Village Kanakpur, Post Office Chiniya, Police Station & Tahsil Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)
10. Ramgahan Gupta, S/o Shivsharan Gupta, Aged About 45 Years Working On The Post Of Panchayat Sachiv, Gram Panchayat Kanakpur, District Balrampur-Ramanujganj (Chhattisgarh)
11. Ramautar, S/o Jageshwar, Aged About 39 Years Working As Panch, Gram Panchayat Kanakpur R/o Gram Panchayat Kankapur, Police Station & Tahsil Ramanujganj, District

Balrampur-Ramanujganj (Chhattisgarh)

12. Surendra Alias Pradhan, S/o Ashok, Aged About 25 Years R/o Gram Panchayat Kankapur, Police Station & Tahsil Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)

13. Arvind, S/o Ramautar, Aged About 18 Years R/o Gram Panchayat Kankapur, Police Station & Tahsil Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)

14. Sukriti Devi, S/o Ashok Yadav, Aged About 40 Years R/o Gram Panchayat Kankapur, Police Station & Tahsil Ramanujganj, District Balrampur-Ramanujganj (Chhattisgarh)

---- Respondents

For Petitioner.

:Shri T. K. Chandrakar, Advocate.

For Respondent No. 1 to 5/State.

: Shri R. K. Gupta, Dy. Advocate General.

Order On Board

19/08/2015

Heard.

1. The petitioner's grievance is that the respondents and his office bearers are raising construction interfering with the possession of the petition by starting filling work.
2. The claim of the petitioner is that the petition is Bhumi Swami of the disputed land.
3. Issue raised in the petition is with regard to the possession of title of the petitioner. Ordinarily such matter is required to be taken to civil Court. However, considering that the grievance is against the Gram Panchayat, it would be proper to direct the Chief Executive Officer Janpat Panchayat Ramanujganj to get a spot inspection done in the presence of the petitioner and representative of the Gram panchayat. Thereafter, depending upon the spot inspection and report appropriate direction may be issued by the Chief Executive Officer Janapat Panchayat.

In case the petitioner is not satisfied with the spot inspection report or any decision against his interest, it will be open for the petitioner to take recourse to remedy as may be available to him under the law, by approaching the civil Court.

4. Accordingly, the petition is disposed off.

Sd/-

Manindra Mohan Shrivastava

Judge

Amita