

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2156 of 2015

- Joginder Lal Saluja S/o Gopichand Saluja, Aged About 60 Years
R/o Bhagat Singh Ward, Bhatapara, Tahsil Bhatapara, District
Balodabazar Bhatapara (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Collector, District
Balodabazar Bhatapara (Chhattisgarh)
2. The Upper Collector, District Balodabazar Bhatapara
(Chhattisgarh)
3. The Sub Divisional Officer (Revenue), Bhatapara, Balodabazar
Bhatapara (Chhattisgarh)
4. The Tahsildar, Bhatapara, Balodabazar Bhatapara (Chhattisgarh)
5. Jagdish Saluja S/o Bhopichand Saluja, Aged About 65 Years R/o
Laxmi Apartment, Bhatapara, Tahsil Bhatapara, Balodabazar
Bhatapara (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Bharat Rajput, Advocate
For Respondent/State	Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/12/2015

Heard finally with the consent of learned counsel for the parties.

(2) By order dated 30.05.2012 passed by the SDO (Revenue),
Bhatapara, Bhatapara, the petitioner's name was mutated on land
bearing Nazul Sheet No.17-B, Plot No.42, area 458 sq. m., Bhatapara,
Nazul Town, Bhatapara.

(3) Challenging the said order after about 3 years, respondent No.5 has preferred an appeal before the Additional Collector, Bhatapara. In the said appeal, the interim order has been passed on 13.04.2015 restraining the petitioner from raising construction on the disputed land.

(4) Considering the fact that the appeal preferred by respondent No.5 is pending consideration before the Additional Collector, Baloda Bazar, Bhatapara, the writ petition is disposed of with a direction that the Additional Collector shall decide the appeal on its own merits after hearing all the parties concerned at the earliest preferably within a period of 2 months from the date of submission of certified copy of this order.

(5) It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

(Prashant Kumar Mishra)

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