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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2324 of 2015**

- Ram Lal S/o Late Shri Ghasi Ram, Aged About 47 Years Caste Teli, R/o Saragbundiya, Tehsil Kartala, District Korba Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Naya Mantralaya, New Raipur Chhattisgarh
2. Executive Magistrate Cum Additional Tehsildar, Barpali, District Korba Chhattisgarh
3. Principal, Government Higher Secondary School, Saragbundiya, Block Kartala, Tahsil Kartala, District Korba Chhattisgarh

---- Respondent

For Petitioner : Shri Sanjay Patel, Advocate.
For Respondent/State : Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****23/12/2015**

1. Learned counsel for the petitioner would submit that the petitioner is the owner and in possession of the land bearing Khasra No.424/2, area 0.18 acre situated at village Sarangbundiya, Tehsil Kartala, District Korba, which is adjoining to the boundary wall of the Government Higher Secondary School, Sarangbundiya. When the petitioner started raising construction over his land, the Principal of the School made a complaint

before the Executive Magistrate cum Tehsildar, Barpali, District Korba on which the Tehsildar has passed an order on 19.8.2015 staying construction raised by the petitioner. Demarcation of the area was carried out wherein the subject land was found to be belonging to the petitioner, however, despite the said demarcation, Tehsildar is not taking up the issue for vacating the stay or for taking any final decision in the matter.

2. Learned State Counsel would submit that the petitioner should have preferred an appeal before the SDO(Revenue) against the order dated 19.8.2015, however, if the Court directs, Tehsildar shall decide the pending issue at the earliest.
3. Considering the entire fact situation of the case, the writ petition is disposed of with a direction to the Executive Magistrate/Tehsildar, Barpali, District Korba to decide the pending dispute originated from the application moved by the Principal of the School at the earliest, preferably within a period of 1 month from the date of production of certified copy of this order.

Sd/-
Judge
(Prashant Kumar Mishra)