

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1502 of 2015

1. Dinesh Verma S/o Shri Khiya Ram Verma, Aged About 47 Years R/o Village Bhainshamuda, Tahsil Saja, P. S. Bemetara, Distt. Bemetara, (Chhattisgarh)
2. Bhola Ram Sahu S/o Shri Manglu Ram Sahu Aged About 42 Years R/o Singhauri, P. S. Bemetara, Tahsil And Distt. Bemetara, (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Land Revenue Department, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. The Collector, Bemetara, District Bemetara, (Chhattisgarh)
3. The Sub- Divisional- Officer, Saja, District Bemetara, (Chhattisgarh)
4. The Tahsildar, Bemetara, District Bemetar (Chhattisgarh)

---- Respondents

For Petitioners : Shri J.N. Nande, Advocate

For Respondents/State : Shri R.K. Gupta, Dy. A.G. on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/08/2015

Heard.

1. By this petition, the petitioners have prayed for a direction to respondents to provide access to their plot by reserving land for approach to the plot of the petitioners.
2. There is no approved map placed on record by the petitioners to show that any road existed as an approach to the petitioners' plot under any of the maps prepared by the Revenue Authorities. The claim of the petitioners is essentially based on

easementary rights, which cannot be examined by this Court as it would require evidence. The proper Forum for the petitioner is to seek appropriate decree by filing a suit based on easementary rights. Therefore, the petition is not maintainable and is dismissed.

Sd/-

Manindra Mohan Shrivastava

J U D G E

Rekha