

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1868 of 2015

1. Fardinand Toppo S/o Joni Toppo, Aged About 52 Years R/o Ward No. 2,
Mariyampara, Balrampur, District Balrampur - Ramanujganj, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Rural And Urban Development,
Mantralaya, Mahandi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Collector, Balrampur, District Balrampur - Ramanujganj, Chhattisgarh
3. Chief Municipal Officer, Municipal Council, Balrampur, District Balrampur
Ramanujganj Chhattisgarh
4. Arvind Tiwari, Contractor, R/o Balrampur, District Balrampur Ramanujganj,
Chhattisgarh

---- Respondents

For Petitioner.	: Shri C. Jayant K. Rao, Advocate.
For Respondent/State.	: Shri Dilman Rati Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/10/2015

Heard.

1. The petitioner has filed this petition seeking a direction to restrain the respondent from interfering with his possession on the ground that the respondents have encroached upon petitioner's land and constructing the town hall building on it. The dispute is essentially of factual nature. Whether or not, respondent No. 3- Municipal Council has encroached upon the land of the petitioner can not be gone in this petition.
2. Considering the submission and the documentary evidence available on records,

the only order which can be passed in this petition is to direct the respondent no. 3 to get the disputed land demarcated through its own Revenue Authorities in the presence of the petitioner within a period of 30 days from the date of receipt of certified copy of this order. Thereafter, if the petitioner grievance is not redressed, it will be open for the petitioner to take recourse to remedy as may be available to him under the law.

3. Accordingly, the petition is disposed off.

Sd/-

Manindra Mohan Shrivastava

Judge

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