

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1873 of 2015

Brijesh Kumar Pathak S/o Late Prem Narayan Pathak, Aged About 59 Years R/o
Narasingarh, Damoh Distt., Madhya Pradesh State. Pin 470675

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Urban Administration & Development,
Secretariat, Maha Nadi Bhawan, Naya Raipur, Raipur Distt. Chhattisgarh State
2. Municipal Corporation, Bilaspur, Through Commissioner, Bilaspur Municipal
Corporation, Bilaspur Distt. Chhattisgarh State, Pin 495001
3. Distt. Collector, Bilaspur, Collectorate, Bilaspur Distt., Chhattisgarh State, Pin 495001

---- Respondents

For Petitioner	:	Ms. Veena Nair, Advocate.
For State/respondents No.1 & 3	:	Mr. S.P. Kale, Dy. A.G. on advance copy

Order On Board

15/10/2015

Heard.

1. The petitioner's grievance is that while laying pipelines, the Corporation authority have encroached upon petitioner's land. It is the allegation of the petitioner that a part of his land has been encroached upon illegally.
2. Whether or not there is encroachment on petitioner's land, is an issue of fact requiring evidence and enquiry into factual dispute which cannot be gone into by this Court. Respondent No.2 is directed to get demarcation done within a period of 30 days to find out whether the land of the petitioner has been encroached upon or not.
3. Depending upon the result of the demarcation, it will be open for the petitioner to take recourse to such remedy as may be available to her under the law.
4. With the aforesaid observations, the petition is disposed off.

Manindra Mohan Shrivastava
J U D G E