

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 862 of 2015

1. Narotum Satnami S/o Chait Ram, Aged About 45 Years R/o Village Telasi, R.N.M. Sandi, Tahsil Pallari, District Baloda Bazar Bhatapara, Chhattisgarh
2. Bhuwan Lal, S/o Ghondalu Satnami, Aged About 49 Years Village Telasi, R.N.M. Sandi, Tahsil Pallari, District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Collector, District Baloda Bazar Bhatapara Chhattisgarh
2. Tahsildar, Pallari, District Baloda Bazar Bhatapara Chhattisgarh
3. Punau Satnami, S/o Bhudram Satnami, Aged About 77 Years R/o Village Telasi, R.N.M. Sandi, Tahsil Pallari, District Baloda Bazar Bhatapara Chhattisgarh
4. Sunil Kumar Satnami, S/o Late Shukhdev Satnami, Aged About 35 Years R/o Village Telasi Tahsil Pallari, District Baloda Bazar Bhatapara Chhattisgarh
5. Itwara Bai, W/o Ramdayal Satnami, R/o Village Kulipotta, Tahsil Arang, District Riapur Chhattisgarh

---- Respondents

For Petitioners	:	Shri Hemant Gupta, Advocate.
For Respondents No.1 & 2	:	Shri A.V. Shridhar, Panel Lawyer on advance copy.

Order On Board

14/10/2015

Heard.

1. This petition has been filed by the petitioners assailing the maintainability of execution proceedings initiated by respondent No.3 for mutation on the basis of order passed by this Court on 02.09.2011 in Second Appeal No.33 of 1993.

2. Learned counsel for the petitioners submits that as the petitioners were not party

to the civil proceedings, in execution of decree, mutation of name by deleting the name of petitioners, cannot be ordered.

3. The petitioners filed their objection before Tahsildar way back on 18.04.2013, the order-sheets show that the objection has not been decided till date. It is submitted that the matter is listed for consideration and further orders before the Tahsildar on 15th of October, 2015.

4. It is expected that while deciding the application for mutation, the Tahsildar shall consider all the aspects of the matter including objection of the petitioner also. If the petitioner is aggrieved by the order of Tahsildar, it will be open for them to take recourse to remedy of appeal before the Higher Appellate Authority under the provision of the Land Revenue Code.

5. With the aforesaid observation, the petition is disposed off.

Sd/-

Manindra Mohan Shrivastava

J U D G E