

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1764 of 2015

1. Mehatter Ram Satnami S/o Late Pukuram Satnami, Aged About 63 Years Occupation Retired Govt Servant, R/o Rambhata, Baikunthpur Raigarh, P.S. City Kotwali, Tah & Civil And Revenue District Raigarh Chhattisgarh

---- Petitioner

Versus

1. Municipal Corporation Raigarh Through Its Commissioner, Municipal Corporation Office, Raigarh District Raigarh Chhattisgarh
2. The Collector, Raigarh, District Raigarh Chhattisgarh

---- Respondents

For Petitioner.	: Shri Amit Kumar Sharma, Advocate.
For Respondent No 1.	: Shri Pankaj Agrawal, Advocate.
For Respondent No 2/State.	: Shri Satish Gupta, Govt. Advocate on advance copy.

Order On Board

01/10/2015

Heard.

1. The petitioner's grievance by this petition is that for construction of road, the respondent no. 1 may proceed to demolish a part of the construction and dispossess the petitioner from his land owned by him. It is assertion of the petitioner that the petitioner has not encroached upon any land beyond the total extent of 6,976 sq. ft..

Whether or not, the petitioner has encroached upon the land beyond his own property is a matter of spot inspection. As the petitioner is raising a dispute, the respondent no. 1 should carry out a demarcation in the presence of the petitioner to find out, whether the petitioner has encroached the land beyond the length and width of his land.

2. Learned counsel for the Corporation submits that this exercise shall be under taken by

the Corporation.

3. In view of the above, this petition is disposed of with a direction that the demarcation shall be carried out within a period of one month from today after due notice of time and date of demarcation by the Corporation and Revenue Authorities.

4. Accordingly, the petition is disposed off.

5. Certified copy to all the parties.

Sd/-

Manindra Mohan Shrivastava

Judge

amita