

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 482 of 2016

Dhansai S/o Shri Budhram, Aged About 32 Years R/o Village Nandeli, Post, P.S.
Tehsil Jaijaipur, Revenue & Civil District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue & Disaster Management, Mahanadi Bhawan, Naya Raipur Revenue And Civil District Raipur Chhattisgarh
2. State Of Chhattisgarh, Through Secretary, Scheduled Caste / Scheduled Tribe And Other Backward Clases Department, Mahanadi Bhawan, Naya Raipur, Revenue And Civil District Raipur Chhattisgarh
3. Collector, Janjgir Champa, Revenue & Civil District Janjgir Champa Chhattisgarh
4. Sub Divisional Officer, (Revenue) Sakti Revenue & Civil District Janjgir Champa Chhattisgarh
5. District Registrar, Janjgir Champa Revenue & Civil Distirct Janjgir Champa Chhattisgarh
6. Tehsildar. Jaijaipur, Revenue & Civil District Janjgir Champa Chhattisgarh
7. Sub Registrar, Jaijaipur, Revenue & Civil District Janjgir Champa Chhattisgarh
8. Duleshwar Chandra, S/o Shri Mulchand Chandra, Aged About 30 Years R/o Village Nandeli, P.O. P.S. & Tehsil Jaijaipur Revenue & Civil District Janjgir Champa Chhattisgarh

---- Respondents

Shri Surfaraj Khan, counsel for the petitioner/s.
Shri B.Gopa Kumar, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/02/2016

This petition has been filed by the petitioner seeking a direction to respondents to process petitioner's application for alienation of agricultural land

without raising any objection on the ground of petitioner being a Scheduled Tribe of "Saunra" community.

2. Learned counsel for the petitioner has placed reliance upon an order passed by the Division Bench of this Court on 03/04/2013 in the case of **Vasudev Sharma v. State of Chhattisgarh and ors** to contend that "Saunra" has not so far been added in the list of Scheduled Tribe by any Parliamentary legislation.

3. Learned State counsel could not dispute legal position adumbrated in order dated 03/04/2013 passed in WP (PIL) No.13/2013.

4. In view of above, the respondent authorities are directed to act in conformity with the legal position as stated in order dated 03/04/2013 passed by the Division Bench of this Court keeping in mind that till date "Saunra" has not been included in the list of Scheduled Tribe though process may have been initiated.

It is made clear that the same legal position will apply in the case of the petitioner also.

Sd/-

(Manindra Mohan Shrivastava)
Judge