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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 684 of 2016

M/s Alok Infratech Pvt. Limited Through Its Director Amit Rateriya, S/o Shri Sanjay Rateriya, Aged About 33 Years, R/o Subhash Chowk Raigarh, Civil And Revenue District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Board Of Revenue, Bilaspur, Civil And Revenue District Bilaspur (Chhattisgarh)
2. Collector, Raigarh, District Raigarh (Chhattisgarh)
3. Nirakar, S/o Ratanlal Gond, R/o Village Nawapali, Tahsil Pusour, Civil And Revenue District Raigarh, (Chhattisgarh)
4. Umashankar, S/o Bhanwar Singh, R/o Village Nawapali, Tahsil Pusour, Civil And Revenue District Raigarh, (Chhattisgarh)
5. Harilal, S/o Dukalu, R/o Village Nawapali, Tahsil Pusour, Civil And Revenue District Raigarh, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. K. K. Patel, Advocate.
For State	:	Mr. Ramakant Mishra, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/03/2016

Heard.

1. Learned counsel for the petitioner submits that while reviewing the earlier order of grant of permit to sell the land in favour of the petitioner, the Board of Revenue has also directed criminal action to be initiated against responsible persons.
2. Learned counsel for the petitioner submits that the Board of revenue exceeded its jurisdiction in directing enquiry in the matter of fraudulent practices.

3. The enquiry as contained in para 7.1 of the impugned order has been ordered by the Board of Revenue on considerations of material on record. In para 7 of the impugned order, the Board of Revenue has also made observations that there is a cartel operating to deprive poor and tribal persons from their land.

4. The direction given in para 7.1 is ordered to make an enquiry. The Board of Revenue has not directed offence to be registered against the petitioner straightway but only to be preceded by a proper enquiry, therefore, I am not inclined to interfere with the order. However, in case, any criminal case is instituted by the police against the petitioner, the petitioner would be at liberty to challenge the same on such ground as may be available to him, before the appropriate Forum.

5. Accordingly, the petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)

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