

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 251 of 2016

Smt. Shakuntala Bai Tharani W/o Hiranand Tharani, Aged About 40 Years R/o
New Rajendra Nagar, Raipur, District Raipur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue & Disaster Management, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, (Chhattisgarh)
2. Collector, Baloda Bazar, District Baloda Bazar- Bhatapara, (Chhattisgarh)
3. Sub Divisional Officer (Revenue) Bhatapara, District Baloda Bazar- Bhatapara, (Chhattisgarh)
4. Assistant Director Town & Country Planning, Baloda Bazar- Bhatapara, District Baloda Bazar- Bhatapara, (Chhattisgarh)

---- Respondents

Shri Prakash Mishra, counsel for the petitioner/s.
Shri Ramakant Mishra, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

01/02/2016

Heard.

This petition has been filed by the petitioner aggrieved on account of delay in conclusion of proceedings initiated against the petitioner under Section 59 of the Land Revenue Code on petitioner's application for diversion of agricultural land for industrial purpose.

2. Referring to Government circular dated 30/12/2013, learned counsel for the petitioner submits that in cases where agricultural land is situated outside the planning area, the Government has simplified the procedure for completing diversion proceedings. It is alleged that in the present case, despite simplified procedure directed to be adopted by the State Government to all the Collectors,

unnecessary enquiry is being made, which has resulted in delay in passing appropriate orders of diversion.

3. On the other hand, learned State counsel submits that the orders and proceedings placed on record show that the Collector is only verifying whether the case of the petitioner is fit for being considered for industrial diversion. He submits that the Collector will expeditiously conclude the proceedings in accordance with the simplification procedure as laid down by the State Government.

4. In view of the statement of the State counsel made before the Court, the matter is not required to be kept pending.

The petition is disposed off with a direction to the Collector to expeditiously conclude the proceedings on petitioner's application as early as possible preferably within a period of three months in accordance with the Government circular.

Sd/-

(Manindra Mohan Shrivastava)

Judge