

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 880 of 2016

1. Chhedi Lal Agrawal S/o Ram Gopal Agrawal, Aged About 65 Years R/o 410, Gupta Gali, Main Road Korba, District Korba (Chhattisgarh)
2. Ishwar Singh Rajput, S/o Late Pancham Singh, Aged About 45 Years Caste Kshatriya Rajput, R/o Bajrang Gali, Agrasen Chowk, Korba District Korba (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. The Collector Korba, District Korba (Chhattisgarh)
3. The Sub Divisional Officer (Revenue), Korba, District Korba (Chhattisgarh)
4. The Tahsildar Korba, District Korba (Chhattisgarh)
5. S.M. Sarangpani, S/o Subramaniam, Aged About 68 Years Caste Kshatriya, R/o 1- B-43, Pump House Colony, Korba, District Korba (Chhattisgarh)

---- Respondents

Shri Mateen Siddiqui, counsel for the petitioner/s.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/04/2016

The petitioner has filed this petition praying for issuance of writ of prohibition against respondent / Tahsildar in passing order in the pending revenue case.

2. Learned counsel for the petitioner submits that respondent No.5 has moved an application for mutation of his name in the revenue records in respect of the land admeasuring 0.19 acres bearing khasra Nos. 188/(f), 188/15, 175/8 and 175/4/k in village – Korba. When a notice inviting

objections was published in the news paper, the petitioner submitted his objection. It is submitted that after submission of objection, the same has not been considered by the Tahsildar and the petitioner is apprehending that the Tahsildar, without considering the objection, may proceed with the matter.

3. The apprehension in the mind of the petitioner seems to have arisen because from the order sheet dated 22/02/2016, it is revealed that the case was to be next listed on 16/03/2016 but no order has been recorded on 16/03/2016. The petitioner has placed on record his written objection dated 16/03/2016. In the margin of the note sheet, next date given to the parties is 11/04/2016.

4. Be that as it may, as the mutation proceedings are listed for hearing on 11/04/16 before the Tahsildar, the Tahsildar is directed to duly consider the objection before passing final order on the application of respondent No.5.

The petition is accordingly finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge