

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 176 of 2016**

- Rampal Ram S/o Late Pardeshi Ram, Aged About 45 Years R/o Ward No. 3 Balrampur P.S. & Tahsil Balrampur District Balrampur Ramanujganj (Chhattisgarh).

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue Mahanadi Bhawan New Raipur District Raipur (Chhattisgarh).
2. The Collector, Balrampur District Balrampur Ramanujganj (Chhattisgarh).
3. The Chief Municipal Officer, Nagar Palika Parisad Balrampur District Balrampur Ramanujganj (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Shri AN Pandey, Advocate
For Respondents-State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****22/01/2016**

1. Petitioner has preferred this writ petition challenging the action of the respondents in seeking to demolish petitioner's house and obtaining possession of the entire land of which the petitioner has been granted lease by the Assistant Bandobast Officer in the year 1991.
2. It is argued that petitioner's father was granted lease of an area measuring 1.21 Hectares bearing Khasra/plot No.747.1, village Balrampur, Tehsil Pal, district Surguja now Balrampur, therefore, the respondents cannot recover possession thereof as long as the grant is subsisting in favour of petitioner.

3. Considering the nature of documents annexed to the writ petition, it would appear that some proceeding was drawn by the Assistant Bandobast Officer in which the land was allotted in the name of petitioner's father. Whether or not the settlement is still operative in favour of petitioner is a question to be looked into by the concerned Collector, therefore, the writ petition is disposed of with direction that the petitioner would submit a representation before the Collector, Balrampur, district Balrampur-Ramanujganj within a period of 15 days from today. On such representation being filed, the Collector shall verify the record and take appropriate decision in the matter after giving opportunity of hearing to the petitioner.
4. Till the decision is taken by the concerned Collector, the petitioner should not be dispossessed from the land. Let the proceeding be completed within a period of six weeks from the date of submission of representation.
5. Certified copy as per rules.

Sd/-

Judge

Prashant Kumar Mishra

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