

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 707 of 2016

Madho Singh Rajput S/o Late Shri Bodhan Singh, Aged About 65 Years R/o
Village Purai, Tahsil & District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Sub Divisional Officer, Durg, District Durg, Chhattisgarh
3. The Tahsildar, Durg, District Durg, Chhattisgarh
4. Gram Panchayat Purai, Through Its Secretary, Block Durg, District Durg Chhattisgarh

---- Respondents

Shri P.R.Patankar, counsel for the petitioner/s.
Shri Ramakant Mishra, Dy.A.G. for the State / respondents 1 to 3 on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/04/2016

Heard on admission.

The petitioner has filed this petition aggrieved by decision taken by the Gram Panchayat towards construction of mini stadium over khasra No.733 and 756, which according to the petitioner is in possession of the petitioner. The petitioner had earlier approached the Civil Court and the suit was dismissed as not maintainable. Thereafter, the petitioner approached the revenue authorities by moving application under Section 89 of the Chhattisgarh Land Revenue Code for correction settlement records. The matter has remained pending before the Sub-Divisional Officer since last 1½ years. Prayer for stay was rejected. Now, the petitioner has come to know that the Gram Panchayat has decided to construct mini stadium. This petition has been filed seeking to restrain the respondents from proceeding further in construction.

2. The dispute is already pending before the Sub-Divisional Officer, Revenue in appeal filed by the petitioner. Therefore, I am not inclined to examine the merits of the case. The petition is accordingly dismissed. However, considering that the appeal has remained pending for 1½ years, the Sub-Divisional Officer is directed to decide the matter as expeditiously as possible, preferably within a period of three months.

Sd/-

(Manindra Mohan Shrivatava)
Judge