

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Second Appeal No.181 of 2016

Rama Nand Pandey, S/o Jai Lal Prasad, Age 86 years,
Profession Agriculture, R/o Village Ghughuwa, P.O.
Village Chote Ouri, Thana Bhilai-3, Tahsil Patan, Distt.
Durg (C.G.)

(Plaintiff)/
---- Appellant

Versus

1. State of Chhattisgarh, Through the Collector, Durg,
P.O., Thana, Tahsil and Distt. Durg (C.G.)
2. Lachhi Das, S/o Bandu Das, Age 56 years, R/o Village
Ghughuwa, P.O. Village Chote Ouri, Thana Bhilai-3,
Tahsil Patan, Distt. Durg (C.G.)

(Defendants)/
---- Respondents

For Appellant: Mr. Hemant Kumar Mishra, Adv.
For State/respondent No.1: Mr. Vinod Deshmukh, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Judgment On Board

13/07/2016

1. Heard on admission.
2. The plaintiff's suit for declaration of title and permanent injunction was dismissed by the trial Court that the suit land is vested with the Government which is apparent from Ex.P-19 and the plaintiff is not entitled for any relief. On appeal being preferred, the first appeal was

dismissed holding that the suit land is vested with the Government and the plaintiff has no title over the suit land.

3. In the second appeal filed by the plaintiff/appellant, it has been pleaded that the finding recorded by the two Courts below suffers from perversity and illegality and that gives rise to substantial question of law.
4. The finding recorded by the two Courts below holding the land to be vested in the Government and recorded as grassland, is a concurrent finding of fact based on evidence available on record and I do not find any substantial question of law for determination of this appeal. Consequently, the appeal deserves to be and is hereby dismissed in limine. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma