

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 407 of 2016

Jalindhar Patel S/o Nankidau Patel, Aged About 52 Years Caste
Agharia, R/o Village Kanuatal Tahsil Masturi, Presently R/o Old Bus
Stand, Bilaspur, Tahsil & Distt. Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, Bilaspur Distt. Bilaspur
(Chhattisgarh)
2. Additional Tahsildar Up Tahsil Seepat, Distt. Bilaspur (Chhattisgarh)
3. Sub Division Officer (R) Masturi Distt. Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. B.L. Dembra, Advocate.
For State	:	Mr. Ramakant Mishra, Dy. A.G. with Mr. Satish Gupta, Government Advocate on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/02/2016

Heard.

1. Challenge in this petition is to order dated 21.09.2015 passed by the
SDO dismissing the appeal of the petitioner.
2. Learned counsel for the petitioner submits that the Appellate
Authority has not considered any of the ground raised in the appeal by the
petitioner and the appeal has been dismissed without there being any
speaking order.
3. Learned State counsel submits that against demarcation carried out
under the authority of the Tahsildar, the appeal does not lie, therefore, the
appeal of the petitioner was incompetent.

4. The SDO acting as an Appellate Authority has dismissed the appeal and it does not specifically record that the appeal is being dismissed as not maintainable.

5. However, in view of the statement made by the State counsel, the impugned order is set aside and the petitioner may prefer revision against the proceedings of demarcation.

6. With the aforesaid observations, the petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E

Rekha