

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 671 of 2016

Chhatram Sidar S/o Shri Ramsai Sidar, Aged About 42 Years R/o Village Sakrali, Post, P.S. & Tehsil Dabhra, Revenue & Civil District Janjgir Champa, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue & Disaster Management, Mahanadi Bhawan, Naya Raipur, Revenue And Civil District Raipur, (Chhattisgarh)
2. State Of Chhattisgarh, Through Secretary, Scheduled Caste/ Scheduled Tribe And Other Backward Classes Department, Mahanadi Bhawan, Naya Raipur, Revenue And Civil District Raipur, (Chhattisgarh)
3. Collector, Janjgir Champa, Revenue & Civil District Janjgir Champa, (Chhattisgarh)
4. Sub Divisional Officer (Revenue) Dabhra, Revenue & Civil District Janjgir Champa, (Chhattisgarh)
5. District Registrar, Janjgir Champa, Revenue & Civil District Janjgir Champa, (Chhattisgarh)
6. Tehsildar Dabhra, Revenue & Civil District Janjgir Champa, (Chhattisgarh)
7. Sub Registrar Dabhra, Revenue & Civil District Janjgir Champa, (Chhattisgarh)
8. Chatram Sahu, S/o Shri Sitaram Sahu, Aged About 44 Years R/o Village Saradih, P.O., P.S. & Tehsil Dabhra, Revenue & Civil District Janjgir Champa, (Chhattisgarh)

---- Respondents

For Petitioner : Shri Surfaraj Khan, Advocate

For respondent/State : Shri Satish Gupta, Govt. Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/03/2016

1. This petition has been filed by the petitioner seeking a direction to respondents to process petitioner's application for alienation of agricultural land without raising any objection on the ground of petitioner being a Scheduled Tribe of "Saunra" community.
2. Learned counsel for the petitioner has placed reliance upon an order passed by the Division Bench of this Court on 03/04/2013 in the case of **Vasudev Sharma Vs. State of Chhattisgarh and ors** to contend that "Saunra" has not so far been added in the list of Scheduled Tribe by any Parliamentary legislation.
3. Learned State counsel could not dispute legal position adumbrated in order dated 03/04/2013 passed in WP (PIL) No.13/2013.
4. In view of above, the respondent authorities are directed to act in conformity with the legal position as stated in order dated 03/04/2013 passed by the Division Bench of this Court keeping in mind that till date "Saunra" has not been included in the list of Scheduled Tribe though process may have been initiated.
5. It is made clear that the same legal position will apply in the case of the petitioner also.

Sd/-
(Manindra Mohan Shrivastava)
Judge