

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2257 of 2016**

- Gautam S/o Uderam Chandrakar, Aged About 53 Years R/o Ward No. 13, Near Ram Mandir Mahasamund, Tahsil & District Mahasamund, (Chhattisgarh).....(Applicant)

---- Petitioner**Versus**

1. Daduram S/o Jagannathi Chandrakar, Aged About 54 Years Ward No. 13, Jagannath Chowk, Kurmipara Mahasamund, Tahsil & District Mahasamund, (Chhattisgarh).....(Non Applicant No.1)
2. Lakhan, S/o Bhagwan Singh @ Dhelura Chandrakar, Ward No. 13, Jagannath Chowk, Kurmipara Mahasamund, Tahsil & District Mahasamund, (Chhattisgarh).....(Non Applicant No.2)
3. Board Of Revenue, Chhattisgarh, Bilaspur, District Bilaspur, (Chhattisgarh)
4. The Additional Commissioner, Raipur Division, Raipur, (Chhattisgarh)
5. The Sub Divisional Officer (Revenue), Mahasamund, District Mahasamund, (Chhattisgarh)
6. The Tahsildar, Mahasamund, District Mahasamund, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Yogesh Chandra, Advocate
For Respondents-State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****06/09/2016**

1. Petitioner is aggrieved by the order passed by the Board of Revenue, whereby his revision application has been dismissed. The said revision was preferred against the order passed by the Additional Commissioner, Raipur Division on 27-11-15 allowing the appeal preferred by Daduram to set aside the order passed by the Sub Divisional Officer (R), Mahasamund on

18-7-12.

2. The Sub Divisional Officer (R), Mahasamund had allowed petitioner's application for mutation despite pendency of the civil suit, therefore, while allowing the appeal, the Additional Commissioner has directed that the civil court having already passed an order of temporary injunction on 25-9-13 and the parties being bound by the interim or final order passed by the civil Court, the Tehsildar shall mutate the name of the party in whose favour the civil Court will decide the matter.
3. Having considered the submissions, this Court does not find any such error committed by the Board of Revenue which would warrant interference by this Court under Article 227 of the Constitution of India.
4. The writ petition is accordingly dismissed.

Sd/-

Judge
Prashant Kumar Mishra

Ashu