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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1302 of 2016**

1. Smt. Victoria W/o Vikrant Xaxa, Aged About 36 Years R/o Village Namnakala (Patparia), Police Station & Post Ambikapur, Tahsil Ambikapur, Civil And Revenue District Surguja, (Chhattisgarh)
2. Jagranath, S/o Bulchu, Aged About 70 Years R/o Village Thakurpur, Tahsil Surajpur, Police Station & Post Surajpur, Civil And Revenue District Surajpur, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, (Chhattisgarh)
2. Collector, Surguja (Ambikapur), District Surguja, (Chhattisgarh)
3. Sub Divisional Officer (Revenue), Sitapur, District Surguja, (Chhattisgarh)
4. Tahsildar, Batauli, District Surguja, (Chhattisgarh)
5. Dhaneshwari, W/o Late Anil Uraon, Aged About 33 Years R/o Village Jhargawan, Tahsil Batauli, Police Station & Post Batauli, Civil And Revenue District Surguja, (Chhattisgarh)
6. Sudhir Uraon, S/o Late Anil Uraon, Aged About 9 Years Minor Through His Mother Dhaneshwari, W/o Late Anil Uraon, Aged About 33 Year, R/o Village Jhargawan, Tahsil Batauli, Police Station & Post Batauli, Civil And Revenue District Surguja, (Chhattisgarh)
7. Virendra Singh, Proprietor Deorimod Dhaba, Batauli, Tahsil Batauli, Post Batauli, Civil And Revenue District Surguja, (Chhattisgarh)
8. Sanjay Soni, R/o Near Punjab Garden, Ambikapur, Police Station & Post Ambikapur, Civil And Revenue District Surguja, (Chhattisgarh)

---- Respondent

For Petitioners : Shri Manoj Paranjpe with Shri Prasoon Agrawal, Adv.
 For Respondent/State : Shri AS Kachhawha, Additional AG.
 For Respondent No.5 : Shri Rahul Mishra, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

10/11/2016

1. This writ petition arises out of proceeding under Section 170-B of the CG Land Revenue Code, 1959 (for short 'the Code') wherein after final order by the SDO (Revenue) Surguja on 5.3.2016, the petitioner's appeal is pending consideration before the Collector, Surguja.
2. It appears, when the petitioner's application for grant of stay was not considered and the appeal was posted for preliminary hearing, the petitioner apprehended demolition of super structure over the subject land and preferred this writ petition.
3. By order dated 12.5.2016, the threatened demolition has been stayed by this Court, however, the appeal itself is pending consideration before the Collector, Surguja.
4. Having heard learned counsel for the parties, when the matter is still pending before the appellate authority i.e. the Collector, Surguja, ends of justice would be served if the concerned Collector is directed to decide pending appeal of the petitioner within a period of 6 months from the date of submission of certified copy of this order.
5. Ordered accordingly.
6. During the pendency of the appeal before the Collector, interim order passed by this Court on 12.5.2016 shall remain in operation.
7. The Writ Petition is disposed of accordingly.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve