

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 500 of 2015**

1. Navakar Farms (Pvt.) Limited Through Its Director Shri Ramesh Kumar Verma, S/o Shri T. C. Verma, Aged About 49 Years, Babla Complex, 1st Floor, G.E.Road, Near Indian Coffee House, Raipur, District Raipur (Chhattisgarh)..... (.Applicant)

---- Petitioner**Versus**

1. Shri V. N. Pawariya Revenue Inspector, Durg 1, Tehsil Office Durg, District Durg, Chhattisgarh
2. Smt. Harshlata Dewangan, Naib Tehsildar, Sub Tehsil Office Bhilai Nagar Nigam Bhawan, Bhilai, District Durg (Chhattisgarh)
3. Shri S. L. Maankar, Naib Tehsildar, Sub Tehsil Office Bhilai Nagar Nigam Bhawan, Bhilai, District Durg (Chhattisgarh)..... (Contemnors)

---- Respondent

For Petitioner	Shri Amrito Das, Advocate
For Respondents	Shri H.B. Agrawal, Sr. Advocate with Ms. Meera Jaiswal, Advocate

Ms. Madhu Harsh Dewangan, Additional Tashildar, Bhilai Nagar (suspended), Shri S.L. Maankar, Naib Tahsildar (Retd.), Bhilai Nagar and Shri V.N. Pawariya, the then Revenue Inspector, Durg (now at Patan) are also present.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board**

06/09/2016

1. In WPC No.13 of 2015 preferred by the petitioner a direction was issued by this Court on 9-1-2015 to the respondent No.3 i.e. Tahsildar, Bhilai Nagar, for disposing of two demarcation applications after issuing notice to the concerned parties, within a period of two months.
2. When the demarcation was not carried out within a period of two months, the petitioner preferred Contempt Case (C) No.203 of 2015, which was disposed of by this Court vide order dated 28-4-2015 by directing the petitioner to prefer additional representation, on which the respondents shall ensure compliance of the order. When the compliance was not made, the present contempt petition has been preferred by the petitioner.
3. Ms. Madhu Harsh Dewangan, Additional Tahsildar, Bhilai Nagar (suspended), Shri S.L. Maankar, Naib Tahsildar (Retd.), Bhilai Nagar and Shri V.N. Pawariya, the then Revenue Inspector, Durg (now at Patan) have appeared before this Court along with the complete record of the concerned demarcation proceeding and they would submit that the subject land has been divided into 64 plots and there is *inter se* dispute between various plot holders.

There is also dispute regarding identity of the land *vis-a-vis* surplus land vested in the State under the provisions of the Urban Land Ceiling Act, 1976.

4. The record produced before this Court would reveal that initially notice was issued to the petitioner whereupon he submitted documents before the Revenue Authorities. Thus, it is not a case where no notice at all was issued to the petitioner. There appears substantial compliance of the order passed by this Court, therefore, no further action is required to be taken in this contempt petition.
5. At this juncture, Shri Amrito Das, learned counsel appearing for the petitioner, would submit that the demarcation report dated 26-12-2015 may come in the way of the petitioner when any dispute regarding title is raised by any of the party. Shri Das would also submit that although the team of Revenue Officers was constituted for carrying out the demarcation, but the report has been submitted by the then Revenue Inspector alone and the team never visited the spot.
6. In view of the above, it is made clear that this Court has not approved the demarcation report in this contempt proceedings.

This Court is only concerned about compliance of the order directing the respondents to demarcate the land. If the petitioner is not satisfied about the contents of the demarcation report, the petitioner would be at liberty to challenge the legality and validity of the demarcation report before the appropriate forum, whenever occasion arises.

7. Accordingly, the contempt petition stands disposed of subject, however, to the observations as stated *supra*.

Sd/-

Judge
Prashant Kumar Mishra

Gowri