

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.7004 of 2008**

Rajendrapal Singh S/o Late Shri Jaspal Singh, aged about 53 years,
resident of Group M.I.G. 12 Padnabhpur, Durg, Director Anustha
Builders and Colonizers Private Limited

----- Petitioner

Versus

1. State of Chhattisgarh, through Revenue Secretary, Revenue Department, Mantralay, D.K.S. Building Raipur (CG)
2. The Commissioner, Raipur Division, Raipur (CG)
3. The Competent Authority through Collector, Durg, under the Urban Land (Ceiling and Regulation) Act, 1976, Durg (CG)
4. The Sub Divisional Officer (Revenue), Durg, District Durg (CG)
5. Tahsildar (Nazul), Durg, District Durg (CG)
6. Smt. P. Laxmikantamma Wd/o Late Shri P. Krishnmurti, aged about 66 years, occupation-cultivation, resident of Kohka, at present residing at A-40, Street No.7, Central Avenue, Smriti Nagar, Bhilai, Tahsil and District Durg (CG)

----- Respondents

For Petitioner	:	Mr. Rajeev Shrivastava and Mr.Malay Shrivastava, Advocate
For Res.No.1 to 5	:	Mr.Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

13/11/2017

1. Learned counsel for the parties would jointly submit that the issue involved in the present writ petition is covered by a decision of this Court in WP No.2858 of 1989 (Smt. Purnima Dani & Others Vs. The State Govt. of Madhya Pradesh (Now Chhattisgarh) & Others), in which this Court held as under:-

“10. Without going into the disputed question of facts, liberty is reserved to the petitioners to make proper application before the competent authority to decide the issue with regard to the possession of the land, If the land in question have been acquired by the State respondents and other authorities in exercise of provisions of Section 10(3) of the Ceiling Act, before 10th March, 2000. The

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acquisition and possession by the State Government consequent thereupon is saved under the provisions of Section 3 of the Act, 1999.

11. In view of the above, the petitions stand disposed of. No order as to costs.

12. The competent authority shall do the needful as early as possible preferable within a period of 2 weeks from the date of receipt of an application made by the petitioners, if so advised.”

2. In view of the submission made by learned counsel for the parties, the present writ petition is disposed of in terms of the order passed in **Smt.Purnima Dani** (supra). No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-