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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2957 of 2017**

Hemant Bhai S/o Narsing Bhai, Aged about 65 years R/o Village Baroda Raipur, Tehsil & District Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Urban Administration and Development, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh
2. Joint Director, Town and Country Development, Raipur, District Raipur, Chhattisgarh
3. Collector, Raipur, District Raipur, Chhattisgarh
4. Sub Divisional Officer, Revenue, Raipur, District Raipur, Chhattisgarh
5. Tehsildar, Dharsiwa, District Raipur, Chhattisgarh
6. Naib Tahsildar, Dharsiwa, District Raipur, Chhattisgarh

---- Respondents**WPC No. 2962 of 2017**

Mulshankar Sahu, S/o Abhayram Sahu, Aged about 38 years, R/O Village-Baroda, Raipur, Tahsil and District Raipur (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Urban Administration and Development, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh
2. Joint Director, Town and Country Development, Raipur, District Raipur, Chhattisgarh
3. Collector, Raipur, District Raipur, Chhattisgarh
4. Sub Divisional Officer, Revenue, Raipur, District Raipur, Chhattisgarh
5. Tehsildar, Dharsiwa, District Raipur, Chhattisgarh
6. Naib Tahsildar, Dharsiwa, District Raipur, Chhattisgarh

---- Respondents

WPC No. 2964 of 2017

Dinesh Sahu S/o Punit Sahu, Aged about 30 years R/o Village Baroda Raipur, Tehsil & District Raipur, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Department of Urban Administration and Development, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh
2. Joint Director, Town and Country Development, Raipur, District Raipur, Chhattisgarh
3. Collector, Raipur, District Raipur, Chhattisgarh
4. Sub Divisional Officer, Revenue, Raipur, District Raipur, Chhattisgarh
5. Tehsildar, Dharsiwa, District Raipur, Chhattisgarh
6. Naib Tahsildar, Dharsiwa, District Raipur, Chhattisgarh

---- Respondents

And

WPC No. 2961 of 2017

Dageshwar S/o Narsingh Sahu, Aged about 37 years R/o Village Baroda Raipur, Tehsil & District Raipur Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Department of Urban Administration and Development, Mantralaya, D. K. S> Bhawan, Raipur Chhattisgarh.
2. Joint Director, Town and Country Planning Development, Raipur District Raipur Chhattisgarh
3. Collector, Raipur, District Raipur Chhattisgarh
4. The Sub Divisional Officer (Revenue), Raipur, District Raipur Chhattisgarh
5. Tehsildar, Dharsiwa, District Raipur Chhattisgarh.
6. Naib Tahsildar, Dharsiwa, District Raipur Chhattisgarh.

---- Respondents

For Respondents/State : Mr. Dhiraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/11/17

1. This writ petition has been preferred by the petitioner challenging the action proceedings initiated under Section 248(1-A) of the Chhattisgarh Land Revenue Code whereby Naib Tahsildar, Dharsiwa has directed the petitioner to remove his encroachment and also imposed a fine of Rs. 2,000/- on the petitioner.
2. Learned counsel appearing for the State would submit the action proceedings is appealable under Section 44(1) of the Chhattisgarh Land Revenue Code.
3. Learned counsel appearing for the petitioner would submit that he may be allowed to prefer an appeal under Section 44(1) of the Chhattisgarh Land Revenue Code.
4. The prayer appears to be fair and reasonable and is accordingly allowed.
5. Be that as it may, the petitioner would be at liberty to file an appeal before the Appellate authority / Sub-Divisional Officer (Revenue), Raipur under Section 44(1) of the Chhattisgarh Land Revenue Code within one week from today along with application for grant of stay. If such an appeal is preferred by the petitioner before the appellate authority then, in that event, the appellate authority shall do well to consider and decide the petitioner's appeal within three days from the date of receipt of copy of this order.
6. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

