

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1039 of 2017

- Ramlal Prajapati S/o Late Ramratan Prajapati, Aged About 62 Years
R/o Village Bilha, Tahsil Bilha, P. S. Bilha, District Bilaspur
(Chhattisgarh)

---- Petitioner

Versus

1. State of Chhattisgarh Through: The Secretary, Public Works
Department, Mahanadi Bhawan, New Raipur, District Raipur
(Chhattisgarh)
2. Chief Medical Officer, Bilha, District Bilaspur (Chhattisgarh)
3. The Collector, Bilaspur, District Bilaspur (Chhattisgarh)
4. The Sub Divisional Officer, Bilha, District Bilaspur (Chhattisgarh)
5. The Tahsildar, Bilha, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Jitendra Nath Nande, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/04/2017

1. Heard.
2. This petition is filed by the petitioner raising a dispute that the respondents are raising certain construction and because of that construction, access to the petitioner's plot is adversely affected and blocked.
3. Learned State counsel submits that the petitioner is claiming right to easement over the land to his plot and construct a building.
4. The nature of dispute of the parties seems to be purely civil in nature. Whether the petitioner is entitled to any easementary right, is a matter which could be decided in civil suit and not by way of writ petition.

Therefore, the petition is not maintainable. The petitioner would be at liberty to take recourse to ordinary civil remedy.

5. The petition is dismissed

Sd/-
(Manindra Mohan Shrivastava)
Judge

Kamde