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HIGH COURT OF CHHATTISGARH, BILASPUR**CR No. 2 of 2017**

1. President Sahu Samaj Pod, Through : Alakhram Sahu, age 58 years, S/o Late Shri Makhan Sahu, village - Pod, Tehsil - Abhanpur, District Raipur (C.G.)
2. Secretary Pod Samaj Through : Nemichand Sahu, age 40 years, S/o Shri Punaauram Sahu, village - Pod, Tehsil - Abhanpur, District Raipur (C.G.)

---- Petitioners**Versus**

1. Sunita Mal W/o Raman Lal Mal, Aged About 60 Years R/o Soni Sadan, First Floor, Near Dani Bada, Budhapara, Raipur, Tahsil & District Raipur, Chhattisgarh(Plaintiff).
2. Ashok Kumar Sahu, age 42 years, S/o Late Shri Jogiram Sahu, R/o village - Pod, Tehsil Abhanpur, District - Raipur (C.G.)
3. State of C.G. Through : Collector, Raipur (C.G.).
4. Block Development Officer, Tehsil Abhanpur, District - Raipur (C.G.)
5. Chief Executive Officer, Zila Panchayat Collector, Raipur (C.G.)
6. Sarpanch Gram Panchayat - Pod, Tehsil - Abhanpur, District Raipur (C.G.)

---- Respondents

For Applicants	:	Shri Vikram Singh, Advocate.
For Respondent 3 & 4/State	:	Shri Vaibhav Goverdhan, P.L.

Hon'ble Shri Justice Pritinker Diwaker**Order On Board****06/02/2017**

1. In a suit filed by the plaintiffs for declaration and permanent injunction, an application was filed by the defendants under Order 7 Rule 11 of the Code of Civil Procedure, *inter alia* pleading that the land in question is government land and in view of the provisions of Section 257 of Chhattisgarh Land Revenue Code, 1959 (for short 'the Code')

the suit is not maintainable before the Civil Court.

2. While considering the said application, in the impugned order the trial Court has observed that the notice under Section 18 (2) of C.P.C. has already been given to the authorities, the provisions of Section 257 of the Code are not attracted and as such the application is liable to be dismissed. I find no illegality in the order impugned warranting interference by this Court.
3. The revision being without any substance is liable to be dismissed and it is dismissed as such.

Sd/-

(Pritinker Diwaker)
Judge