

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 359 of 2017**

- Banvasu Satnami S/o Late Shri Dhanau Satnami Aged About 60 Years R/o Village- Kudekel, Thana- & Tahsil- Basna, Civil & Revenue District- Mahasamund, Chhattisgarh

---- **Petitioner****Versus**

1. State of Chhattisgarh Through Secretary Revenue Department, Mahanadi Bhawan, Capital Complex, New Raipur, District- Raipur, Chhattisgarh
2. Collector, Mahasamund, District- Mahasamund, Chhattisgarh
3. Tahsildar, Basna, District- Mahasamund, Chhattisgarh
4. Gram Panchayat Kudekel, Through Its Secretary, Village Kudekel, Thana- & Tahsil- Basna, Civil & Revenue District- Mahasamund, Chhattisgarh
5. The Chhattisgarh State Power Distribution Company Limited Through Its Managing Director, Daganiya, Raipur, District Raipur, Chhattisgarh
6. Executive Engineer, Chhattisgarh State Power Distribution Company Limited Saraypali Division, District- Mahasamund, Chhattisgarh

---- **Respondents**

For Petitioner	:	Shri Sunil Sahu, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****16/02/2017**

1. Petitioner is aggrieved by the order Annexure P-1 whereby the Chhattisgarh State Power Distribution Company Limited (for short 'the Company') has applied for allotment of land for installation of 33/11 KV sub-station at Village- Kudekel, Tehsil & Thana Basna, amongst other locations.
2. It is submitted that the petitioner was granted lease of the subject land,

however, the lease has been canceled by the Additional Commissioner, Raipur Division, Raipur in an appeal preferred by the Gram Panchayat. Petitioner's appeal before the Board of Revenue is pending consideration, however, in the meanwhile, the Company has moved before the Tehsildar for allotment of land, therefore, if the land is allotted to the Company, petitioner's appeal pending before the Board of Revenue shall be rendered infructuous.

3. Considering the entire facts situation of the case, the writ petition is disposed of with direction that the Board of Revenue shall consider and decide petitioner's appeal on its own merits at the earliest, preferably within a period of three months from the date of presentation of certified copy of this order.
4. The Board of Revenue shall also hear the Company, which is now one of the applicant for allotment of the said land.

Sd/-

Judge

Prashant Kumar Mishra

Ashu