

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.2297 of 2016

1. Prakash Debnath S/o Shri Akhil Chandra Debnath, Aged About 39 Years R/o Village East Boregaon, Tahsil Farasaon, District Kondagaon Chhattisgarh
2. Akhil Chandra Debnath, S/o Late Akshay Debnath, Aged About 75 Years R/o Village East Boregaon, Tahsil Farasgon, District Kondagaon Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Fo Revenue Ministry D.K.S. Building Raipur Chhattisgarh
2. The Collector, Kondagaon, Distirct Kondagaon Chhattisgarh
3. Tahsildar, Tahsil Farasgaon, Ditriect Kondagaon, Chhattisgarh
4. Smt. Shikha Rajput Tiwari, Then Collector, Distirct Kondagaon Presently Posted As Director, Swachh Bharat Mission, Urban Raipur Distirct Raipur Chhattisgarh
5. Miss Heera Gaverna, Then Tahsildar, Tahsil Farasgaon Distirct Kondagaon, Chhattisgarh Presently Posted As Tahsildar Tahsil Magarlod, District Dhamtari Chhattisgarh

---- Respondents

For Petitioners	:	Shri Alok Dewangan, Advocate
For Respondent/State	:	Shri P. K. Bhaduri, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/03/2017

Heard.

2. There is allegation that despite various orders of removal of encroachment, encroachments are not being removed.
3. Referring to averments made in reply, learned counsel for State submits that the encroachments have been removed.
4. This factual position is disputed by learned counsel for the petitioner by submitting that the encroachments have not been completely removed. Let, the

Collector, Kondagaon examine this matter and obtain a fact-finding report from the Tahsildar, whether the encroachments, which were directed to be removed, have been removed or not and if that is not done, appropriate action should be taken towards removal of encroachment as early as possible, if any, is still standing.

5. With the aforesaid observation, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge