

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 712 of 2017

- Murli Prasad Swarnkar S/o Late Kishori Lal Swarnkar, Aged About 64 Years R/o Vidyut Nagar, Road No.5, Durg, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Revenue, Mahanadi Bhawan, New Raipur, P. S. Rakhi, District Raipur, Chhattisgarh.
2. The Commissioner, Raipur Division, District Raipur, Chhattisgarh.
3. Collector, Durg, District Durg, Chhattisgarh.
4. Sub Divisional Officer, (Revenue), Dhamdha, Durg, District Durg, Chhattisgarh.
5. Tahsildar Durg, District Durg, Chhattisgarh.
6. Nayab Tahsildar Bori, Tahsil Dhamdha, District Durg, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Jitendra Gupta, Advocate
For Respondent/State	:	Shri R.K. Mishra, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/03/2017

1. The petitioner is seeking a direction to the respondents No. 5 & 6 to decide the issue with regard to mutation in compliance of order dated 30/06/2016 passed by the Sub Divisional Officer (Revenue), Dhamdha, District Durg.
2. Learned counsel for the petitioner submits that the petitioner's claim that the subject land be mutated and recorded in his name to exclusion of his brother, have not correctly appreciated in the light of the decree passed in his favour of the petitioner by the Civil Court. This was appreciated by the Sub Divisional Officer and direction has been issued to the Naib Tahsildar way back 30/06/2016, but even thereafter

appropriate orders have not been passed and the meantime subject land and other land is likely to be acquired by the Irrigation Department, in which event, serious dispute may arise for payment of compensation.

3. Considering the aforesaid submission, this petition is disposed of with a direction that the Tahsildar shall pass appropriate orders in the matter. It would only be proper that the Tahsildar decides the matter within a period of 60 days on the basis of record available with him and various orders passed by time to time.
4. It is made clear that this Court has not commented on the merits of the case.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Kamde