

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1299 of 2017

- Dayanand Choudhary S/o Late Shri Shivnarayan Choudary, Aged About 73 Years R/o House No. 14, Bazar Para, Village And Post Kutru, Tahsi Bhairamgarh, District Bejapur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Department Of Revenue, Mahanadi Bhawan, New Mantralay, Raipur (Chhattisgarh)
2. The Collector, Beejapur, District Beejapur (Chhattisgarh)
3. Superintendent Of Police, Beejapur, District Beejapur (Chhattisgarh)
4. The Sub Divisional Officer (Revenue), Beejapur, District Beejapur (Chhattisgarh)
5. The Tahsildar, Bhairamgarh, District Beejapur Chhattisgarh.
6. The S. H. O. P. S. Kutru, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	: Shri Avinash K. Mishra, Advocate
For State	: Shri Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/05/2017

1. Heard.
2. By this petition, the petitioner raised grievance against alleged in action against encroachment of Bhumiswami land of the petition. The other grievance is that the government land has been encroached by the encroacher which was being used as a public road. Petitioner has prayed for a direction to the respondents to take appropriate action against the encroachers.
3. In so far as the grievance of encroachment on private land is concerned, the petitioner has remedy under Section 248 of the Chhattisgarh Land Revenue Code (for short, 'the Code') for removal of alleged encroachment before the

competent authority.

4. In so far as alleged encroachment of public road is concerned, petitioner may submit application under Section 248 of the Code before the Tahsildar-respondent No. 5 and if such application is made, the Tahsildar shall hold due enquiry provision under Section 248 of the Code and take the proceeding to lawful conclusion one way or other expeditiously. The petition at this stage disposed off, on this aforesaid direction with liberty to revive in case, the authority does not conclude the proceedings within a period of four months.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Kamde