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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 455 of 2018**

1. Smt. Saraswati Kar W/o Late Shri Nityanand Kar, Aged About 45 Years, R/o P.V. 5, Vivekanand Nagar, Post Kapsi, Thana Pakhanjur, District North Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh
2. Tapan Biswas, S/o Lt. Narayan Viswas, Aged About 31 Years R/o P.V. 5, Vivekanand Nagar Post Kapsi, Thana Pakhanjur, District North Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh
3. Mrinal Mandal, S/o Shri Manindra Madal, Aged About 38 Years R/o P.V. 5, Vivekanand Nagar, Post Kapsi, Thana Pakhanjur, District North Bastar Kanker (Chhattisgarh), District : Kanker, Chhattisgarh

---- Petitioners

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Building, Ministry, New Raipur, Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. The Collector, Through Sub Divisional Officer (Revenue), Pakhanjur, District North Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh
3. The Tahsildar, Pakhanjur, District North Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh

---- Respondents

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| For Petitioners       | : | Mr. Alok Kumar Dewangan, Advocate.        |
| For Respondents/State | : | Mr. Dilman Rath Minj, Dy. Govt. Advocate. |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****20/02/18**

1. Learned counsel appearing on behalf of the petitioners would submit that by the impugned order dated 24.01.2018 passed by Tahsildar, Pakhanjur, District North Bastar Kanker, petitioners have been declared as encroachers of the government land whereas they are the land holders of the subject land.

2. Learned counsel for the petitioners would further submit that no measurement / demarcation of the subject land has been made by the Tahsildar before demolishing their constructions and, therefore, the impugned order is unsustainable and bad in law and is liable to be set aside.

3. I have heard learned counsel for the petitioners.

4. Be that as it may, the Tahsildar, Pakhanjur, District North Bastar Kanker is directed to consider the case of the petitioners and if necessary take measurement of the land in question and thereafter proceed further in accordance with law.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

**(Sanjay K. Agrawal)**  
Judge