

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 519 of 2018**

Shashikant Soni S/o S/o Shri Ramsajiwan Soni Aged About 41 Years R/o Village Ramgarh, Tehsil Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Of Department Of Agriculture, Mahanadi Bhawan Capital Complex, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Managing Director, Chhattisgarh State Cooperative Marketing Federation, 880, Civil Lines, Head Office- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. District Marketing Officer, Chhattisgarh State Cooperative Marketing Federation, Teacher's Colony, Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh
4. Collector Of Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pallav Mishra, Advocate.
For Respondents	:	Mr. Shashank Thakur, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/02/18**

1. This writ petition is directed seeking rent from the respondents of the land alleged to be occupied by the respondent No. 2 and 3.
2. Learned counsel appearing for the petitioner would submit that the agricultural land of the petitioner has been taken by the respondents No. 2 and 3 in the year 2011 for collection of paddy but thereafter, they are neither paying the rent as adjudged by the Rent Control Authority, Mungeli nor

vacating the land of the petitioner, therefore appropriate directions be given to the respondents for payment of rent as adjudicated by the Rent Control Authority.

3. On the other hand, learned counsel appearing for the respondent State on advance copy would submit that appropriate remedy for the petitioner is to approach the jurisdictional Civil Court for recovery of rent or for recovery of possession of the said land but the writ petition would not be maintainable.

4. I have heard learned counsel for the parties, considered their rival submissions made herein above and gone through the records with utmost circumspection.

5. The petitioner's main grievance is non payment of rent of the said land which is alleged to be given to the respondents No. 2 and 3 in the year 2011 and the writ petition has been filed for recovery of rent of the said land on 12.02.2018. Since, the dispute between the parties is basically a dispute of recovery of rent which can very well be taken care of by the Civil Court if approached by the petitioner, as the question of limitation of the said rent is also involved therefore, this Court is not inclined to entertain this writ petition.

6. Accordingly, the writ petition as framed and filed is dismissed as not maintainable reserving the liberty in favour of the petitioner to approach the jurisdictional Civil Court. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge