

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 6485 of 2009**

Shri Ramjanki Mandir, Through Sarwarakar Mahesh Kumar Dubey, S/o.
Late Shri Balbhadra Prasad Dubey, Aged about 59 years, R/o.
Mahamaipara, Ratanpur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh, Through Secretary, Department of Forest, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh.
2. District Forest Officer, D.F.O. Office, Bilaspur, District Bilaspur, Chhattisgarh
3. Forest Range Officer, Forest Range Office, Ratanpur, District Bilaspur Chhattisgarh

----Respondents

For Petitioner	:	None
For State	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20/07/2018**

1. On 10.05.2018 when the matter was called, there was no representation on behalf of the petitioner, hence it was adjourned. Today also when the matter was listed, there was no representation on behalf of the petitioner.
2. Perusal of the record would show that the relief which the petitioner has sought is for issuance of a mandamus to the respondents not to encroach upon the land belonging to the petitioner.
3. The State in their reply submitted that so far as the land bearing khasra No. 9/10/57 as per the M.P. Gazette and in the revenue records reflect it to be "***Pahad aur Chattan***" and they have been settled in favour of the Forest department of the State Government.

4. Given the facts, this Court finds it difficult to grant the relief which the petitioner has sought. However, ends of justice would meet if the writ petition is disposed of with a direction that in the event of the respondents initiated steps for taking over the land which is exclusively in the name of the petitioner; he shall be given an opportunity of hearing and then thereafter shall be proceeded in accordance with law.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved