

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No.610 of 2018

Ripusudan Verma Aged About 61 Years, S/o Late Shri Rikhiram Verma
 R/o Village - Suhela , P. H. No. 34 , Ra . Ni. Man - Jaroud , Up - Tahsil
 Suhela District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary Department Of Revenue
 New Mantralaya Village-Rakhi, New Raipur District Raipur
 Chhattisgarh
2. Commissioner, Raipur Division, Raipur District Raipur Chhattisgarh
3. The Collector, District - Baloda Bazar Bhatapara Chhattisgarh
4. Sub Divisional Officer, Simga District - Balodabazar Bhatapara
 Chhattisgarh
5. Naib Tahsildar Suhela, Up Tahsil Suhela, District Balodabazar
 Bhatapara Chhattisgarh
6. Prahlad Singh Thakur, S/o Jodhan Singh Thakur, R/o Village Suhela,
 Tahsil Simga District Baloda Bazar Bhatapara Chhattisgarh Through
 Hitendra Singh Thakur S/o Prahlad Sing Thakur , R/o Village - Suhela,
 Tahsil-Simga District Baloda Bazar - Bhatapara Chhattisgarh

---- Respondents

For Petitioners	:	Mr.Yogesh Chandra Pandey, Advocate
For Respondents No.1 to 5	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

07/03/2018

1. Respondent No.6 filed an application under Section 250 of the
 Chhattisgarh Land Revenue Code, 1959 (hereinafter called as "the
 Code") before respondent No.5, which was allowed by respondent
 No.5 and that order was affirmed by respondent No.4/Sub Divisional
 Officer, Simga in appeal and also by the Commissioner, Raipur
 Division, Raipur in second appeal and the Board of Revenue also
 declined to entertain the revision. Being aggrieved and dissatisfied with
 the said order, the present writ petition has been filed.
2. Learned counsel for the petitioner would submit that the order passed
 by the Naib-Tahsildar as affirmed by the Sub Divisional Officer, the

Commissioner, Raipur Division, Raipur and the Board of Revenue are unsustainable and bad in law.

3. On the other hand, learned Panel Lawyer for respondents No.1 to 5 would oppose the writ petition.
4. I have heard learned counsel for the parties, perused the impugned order and other documents appended with the writ petition.
5. Naib-Tahsildar, Suhela has clearly recorded a finding that the petitioner has unauthorizedly dispossessed respondent No.6 from the land in question and thereby granted an application under Section 250 of the Code, which has been affirmed by the appellate authority and the revisional authority. The finding of fact recorded by the appellate and the revisional authorities that the petitioner has unauthorizedly dispossessed respondent No.6 from the land in question is the finding of fact based on material available on record. I do not find any perversity or illegality in the said finding.
6. Accordingly, the writ petition being without substance is liable to be and is hereby dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

B/-