

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1038 of 2018**

Vishmuram Kewat S/o Firangi Kewat, aged about 60 years, R/o Village Ghumka, Tahsil and District Balod (C.G.).

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Revenue and Disaster Management Department, Mantralaya, Mahanadi Bhawan, New Raipur (C.G.)
2. The Collector, Balod, District Balod (C.G.)
3. The Sub-Divisional Officer (Revenue), Balod, District Balod (C.G.)
4. The Tahsildar, Balod, District Balod (C.G.)
5. Gram Panchayat, Ghumka, through its Secretary, Gram Panchayat, Ghumka, District Balod (C.G.)
6. Sarpanch, Gram Panchayat, Ghumka, District Balod (C.G.)

---- Respondents

For Petitioner	:	Mr. B. P. Singh, Advocate.
For Respondents/State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/04/18**

1. This writ petition has been preferred by the petitioner being aggrieved by the notice issued to him by Tahsildar pursuant to the memo / order dated 07.11.2017 passed by the Sub-Divisional Officer (Revenue) whereby the Sub-Divisional Officer (Revenue), Balod has sent the application filed by the villagers to Tahsildar concerned for proceeding in accordance with law.
2. Learned counsel appearing for the petitioner would submit that in compliance of the impugned order, Tahsildar has also submitted his report

before the SDO (Revenue) on 29.12.2017 and would further submit that without affording any opportunity of hearing to the petitioner the impugned order has been passed which is unsustainable and bad in law and, therefore, is liable to be set aside.

3. I have heard learned counsel for the petitioner, perused the impugned order and gone through the records with utmost circumspection.

4. Be that as it may, the petitioner is at liberty to approach the Sub-Divisional Officer, Balod who shall consider and proceed further strictly in accordance with law after hearing the petitioners and affected parties.

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

SD/-
(Sanjay K. Agrawal)
Judge