

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1664 of 2018**

1. Dhalsingh Dilliwar S/o Rameshwar Diliwar Aged About 56 Years R/o Village Bhersar, Tehsil And District Durg Chhattisgarh.

---- Petitioner**Versus**

1. Girish Kumar Dilliwar S/o Visnath Dilliwar , R/o Village Bhersar, Tehsil And District Durg Chhattisgarh.
2. State Of Chhattisgarh Through Collector , Durg District Durg Chhattisgarh.

---- Respondent

For Petitioner
For Respondent No.1
For Respondent/State

Shri B.P. Singh, Advocate
Shri B.P. Sharma, Advocate
Shri Sameer Behar, Panel Lawyer

Order On Board**By****Prashant Kumar Mishra, J.****12/09/2018**

1. Alleging that the petitioner has encroached the Government land at village Bhersar, Tahsil & District Durg, the respondent No.1 filed a complaint before the concerned Tahsildar, who has passed the order of removal of encroachment on 21-10-2014 which has been affirmed by the Sub Divisional Officer (Revenue), Durg, but set aside by the Additional Commissioner, Durg Division, Durg, and eventually the order of removal of encroachment was maintained by the Board of Revenue, Chhattisgarh.
2. After hearing learned counsel appearing for the parties and for the reason that the petitioner is raising objection to the locus of the respondent No.1 as well as the spot inspection made by the

Patwari, the writ petition deserves to be disposed of with the following directions :

- Let the SDO (R), Durg, carry out the demarcation of the area allegedly encroached by the petitioner in presence of the petitioner; the respondent No.1; and the members of the Gram Panchayat; together with the members of the locality.
- Based on the demarcation report, if the petitioner is found to have encroached any Government land, the SDO (R) shall take steps for removal of encroachment within a period of two months from the date of finalisation of demarcation.
- The demarcation shall be carried out within a period of two months from the date of production of certified copy of this order.
- Both the parties are at liberty to move before the SDO (R) for proceeding further in the matter in the manner indicated above.
- For a period of two months from today the petitioner shall not be dispossessed from the subject premises.

3. It is ordered accordingly.

Sd/-

Judge

Prashant Kumar Mishra

Gowri