

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.2165 of 2018

M.K. Ahmed, S/o Noor Ahmed, Aged about 57 years, R/o In front of 1st Row (L/1), Ward No.11, Bharti Nagar, Distt. Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Secretary, Department of Urban Development & Administration, Mahanadi Bhawan, Post Rakhi, Naya Raipur (C.G.)
 2. The Collector, Bilaspur, Distt. Bilaspur
 3. Sub Divisional Officer (Revenue), Tehsil Bilaspur, Distt. Bilaspur
 4. The Tehsildar, Tehsil Bilaspur, Distt. Bilaspur (C.G.)
 5. Municipal Corporation, Bilaspur, Through the Commissioner, Municipal Corporation, Bilaspur, Distt. Bilaspur (C.G.)
 6. Revenue Inspector, Department of Revenue, Bilaspur, Distt. Bilaspur
- Respondents

For Petitioner:	Mr. H.S. Ahluwalia, Advocate.
For Respondents No.1 to 4 and 6/State: -	Mr. R.N. Pusty, Govt. Advocate, on advance copy.
For Respondent No.5:	Mr. Anumeh Shrivastava, Advocate, on advance copy.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/08/2018

1. Heard.
2. Learned counsel for the petitioner submits that final order has been passed by the Tahsildar, Bilaspur, directing removal of encroachment and such an order is appealable under Section 44(1) of the Chhattisgarh Land Revenue Code, 1959, before the Sub-Divisional Officer (Revenue) and the petitioner may be allowed to prefer appeal against that order.

3. Be that as it may, the petitioner is permitted to withdraw this petition and file appeal before the Sub-Divisional Officer (Revenue). If appeal is preferred by the petitioner by tomorrow, the appeal and the application for stay will be considered and decided by the said authority on the same day, in accordance with law, as the petitioner is apprehending demolition of the subject premises.
4. With the aforesaid liberty, the petitioner is allowed to withdraw this petition and the writ petition is accordingly, dismissed as withdrawn.
No order as to cost(s).
5. Certified copy today.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma