

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.2182 of 2018

Mohan Honap, S/o Dattatraya Mahadev Honap, Aged about 47 years,
R/o 9/1034, Near Shiv Mandir, Bhartiya Nagar, Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Revenue and Disaster Management, Mahanadi Bhawan, New Mantralaya, Naya Raipur (C.G.)
2. Collector, Bilaspur (C.G.)
3. Sub-Divisional Officer (Revenue), Bilaspur, District Bilaspur (C.G.)
4. Tahsildar, Bilaspur (C.G.)

---- Respondents

For Petitioner: Mr. Varun Sharma, Advocate.

For Respondents/State: Mr. R.N. Pusty, Govt. Advocate, on advance copy.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/08/2018

1. Heard.
2. Learned counsel for the petitioner submits that bedakhli warrant has been issued against the petitioner without any enquiry and without any final order of adjudication.
3. Learned State counsel submits that in identical case – W.P.(C) No.2165/2018 (M.K. Ahmed v. State of Chhattisgarh and others), decided on 1-8-2018, liberty has been granted to file appeal.
4. Be that as it may, since the order impugned is appealable as the order has been passed and thereby direction for eviction has also been given, the petitioner is at liberty to prefer appeal under Section 44(1) of the Chhattisgarh Land Revenue Code, 1959. If appeal is preferred

by the petitioner by tomorrow, the appeal and the application for stay will be considered and decided by the appellate authority preferably on the same day, in accordance with law, as the petitioner is apprehending demolition of the subject premises, as in M.K. Ahmed's case (supra) liberty has been granted.

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

Sd/-
(Sanjay K. Agrawal)
Judge

Soma