

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2307 of 2018

- Belasiya Bai Baiga W/o Late Ram Kumar Baiga, aged About 60 Years, R/o Village - Janakpur, Police Station Janakpur, Tahsil Bharatpur, District Korea, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, The General Administration Department, Mantralaya Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The Collector, Korea, District Korea, Chhattisgarh
3. Tahsildar, Tahsil Janakpur, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	Shri R. K. Gupta, Advocate
For Respondent-State	Shri Rajendra Tripathi, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

21/08/2018

1. Petitioner claims to be an allottee of forest land in Village Janakpur, District Korea. Prayer made in the writ petition is to the effect that the land be settled in petitioner's favour for betterment and rehabilitation of Baiga Community and further direction to the respondents to provide compensation for illegal demolition and causing damage to the agricultural land and house belonging to the petitioner.
2. The Khasra Panchshala (Annexure-P-2) clearly shows that the subject land is entered as '*Bade Jhad Ka Jungle*' and the

petitioner's possession is recorded in column No.12 thereof. There is no document of allotment in favour of the petitioner, as claimed by her. The issue as to whether or not the petitioner is entitled to protect her possession only on the basis of representation filed on 24.11.2017 (Annexure-P-3) cannot be gone into in this petition, because no such relief has been claimed and moreover there are disputed questions of facts as to whether or not the petitioner remained in possession of the subject land.

3. The writ petition is dismissed, however, liberty is reserved in favour of the petitioner to work out her remedy before the appropriate authority under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if she considers herself to be a beneficiary under the said provision.

Sd/-
Prashant Kumar Mishra
Judge