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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2535 of 2018**

- Kamal Chand Jain, S/o Late Gulab Chand Jain, Aged About 62 Years R/o Village Kevachi, Tahsil Pendraroad, District- Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Principal Secretary Department Of Forest, Secretariat, Raipur, Chhattisgarh
2. Chief Conservator Of Forest, Forest Division Bilaspur, Bilaspur, Chhattisgarh
3. Forest Divisional Officer, Marwahi Forest Division, Madna Pendraroad, District- Bilaspur, Chhattisgarh.
4. Sub Forest Division Officer, Gourella Sub Forest Division, Pendra Road, District- Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner	Mr. Rajeev Bharat, Advocate
For Respondent/State	Mr. PK Bhaduri, Government Advocate

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****17/9/2018**

1. Heard.
2. The petitioner is claiming relief in the nature of issuance of directions to the respondents to stop planting saplings over his land, remove the fencing and stop digging over his land.
3. To grant the relief prayed for by the petitioner, this Court would

be required to *prima facie* determine his title and adjudicate the factual dispute as to whether or not the alleged illegal act of the respondents are being done so on the land belonging to the petitioner.

4. All the said procedures can be taken in a duly constituted civil suit and not by this Court in writ jurisdiction.
5. Let the petitioner institute a duly constituted civil suit for the relief(s) claimed in the writ petition.
6. The writ petition is accordingly dismissed, as not maintainable.

Sd/-

(Prashant Kumar Mishra)

Judge

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